

# Guide to Texas Legislative Council Services

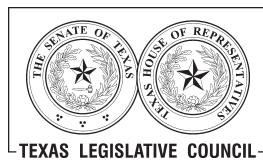


Texas Legislative Council  
For the 82nd Legislature

# Guide to Texas Legislative Council Services

Prepared by the Research Division  
of the  
Texas Legislative Council

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Lieutenant Governor David Dewhurst, Joint Chair  
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Debbie Irvine, Executive Director

For the 82nd Legislature

*The mission of the Texas Legislative Council is to provide professional, nonpartisan service and support to the Texas Legislature and legislative agencies. In every area of responsibility, we strive for quality and efficiency.*

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# Contents

<b>Preface</b> .....	v
<b>Chapter 1. Legislative Drafting</b> .....	1
<b>A. Services</b>	
Bills.....	3
Special District Bill Draft Requests.....	5
Amendments and Substitutes.....	9
Committee Stage Bill Analyses.....	11
Conference Committee Reports.....	15
Congratulatory and Memorial Resolutions.....	19
Legislative Policy Resolutions.....	23
Permission to Sue the State Resolutions.....	25
Rules Resolutions.....	27
Side-by-Side Analyses of Legislation.....	29
State Symbol, Place Designation, and Date Recognition Resolutions.....	31
Texas Constitutional Amendments.....	33
U.S. Constitutional Amendments.....	35
Draft Deliveries.....	37
Additional Copies After Delivery.....	39
<b>B. Procedures</b>	
Levels of Drafting Service.....	43
Council Draft Footers.....	45
Request Procedures.....	47
LDR Document Types.....	51
Filing an Altered Council Draft.....	55
Drafting Process.....	57
<b>C. Policies</b>	
Duplicate Draft Requests.....	65
Draft Status Inquiries.....	67
Order of Draft Preparation.....	69
Assignment of Draft Requests.....	71
Discussion or Analysis of Public Legislative Documents.....	73

<b>Chapter 2. Computer Services</b> .....	75
Computer Training.....	77
Office Computer Consulting.....	79
PCs and Printers.....	81
Software.....	83
Help Desk and Online Support.....	85
<b>Chapter 3. Research and Special Services</b> .....	87
Interim Committee Support.....	89
Legal Counseling and Special Projects.....	91
Legal Research and Writing.....	93
Legal Memoranda.....	95
Written Legal Opinions.....	97
Attorney General Opinion Requests.....	99
Mapping and Geographic Analysis.....	101
Policy Issue Research.....	103
Redistricting Support.....	105
Statistical Research.....	107
Statutory Revision.....	109
House Engrossing and Enrolling.....	111
<b>Chapter 4. Information Resources</b> .....	113
Publications.....	115
Web Resources.....	119
House Document Distribution.....	123
<b>Chapter 5. About the Texas Legislative Council</b> .....	125
Overview.....	127
Nonpartisan Service.....	127
Confidentiality Policy.....	127
Staff Organization.....	128
Agency Contact Information.....	129
Leadership and Administration.....	131
Document Production Division.....	133
Information Systems Division.....	135
Legal Division.....	137
Research Division.....	139

# Preface

The Texas Legislative Council is a nonpartisan service agency for the state legislature and legislative agencies. The council also serves as an information source for state agencies, the citizens of Texas, and others as time and resources allow. We have assembled an experienced, professional staff to provide quality and efficient service.

This guide is intended to assist legislators, their staffs, and others in understanding and making the best use of council services.

Throughout the guide, the reader will find names and telephone numbers of council personnel to contact for council products and services and for additional information. Staff offices of the council are located in the Robert E. Johnson, Sr., Legislative Office Building at 1501 N. Congress Avenue. Please contact any member of the council staff to make suggestions as to how we can better serve you.



**Chapter 1**  
**Legislative Drafting**  
**A. Services**



# Bills

Bills are used to enact, amend, or repeal state law. Bills are drafted by legal division attorneys, each of whom is assigned responsibility for one or more areas of law.

**Bill Draft Request.** Request a bill draft by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>)
- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128
- **Phone:** contact the appropriate attorney or describe general subject matter to a receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney

*Requesting drafts by letter or e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

**Information to Provide With Your Request.** The better the information you provide with your draft request, the better the drafter will be able to correctly and fully address your policy goal. More complete information also means that the draft will be prepared more quickly. The most frequent cause for delay in the preparation of a draft is lack of information.

Please provide the following supporting information with your request:

- Type of document desired (bill)
- Statement of problem or issue
- Statement of goal
- Name of council employee, if any, with whom you have discussed the request
- References to known relevant court cases, constitutional provisions, statutes, attorney general opinions, similar laws in other states, or previous bills
- References to associated drafts previously prepared by the council for your office
- Related newspaper or periodical articles

- Persons or agencies to contact for more information
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor

**Requests Relating to Certain Special Districts.** See **Special District Bill Draft Requests** to obtain more details about the type of information that is needed for requests relating to the creation of a water district or a municipal management district.

**Obtaining Information About Drafts.** See Sections B and C of this chapter for information about drafts, including:

- Inquiring about the status of a draft
- Obtaining an explanation or interpretation of a legislative document that has been made public

# Special District Bill Draft Requests

Special district bills are drafted by legal division attorneys, each of whom is assigned responsibility for one or more areas of law.

**Special District Bill Draft Request.** Request a special district bill draft by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>)
- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128
- **Phone:** contact the appropriate attorney or describe general subject matter to a receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney

*Requesting drafts by letter or e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

## Water Districts

A water district is a political subdivision created for the conservation, reclamation, and development of the water resources of this state. Water districts may perform a variety of specific functions such as providing water and wastewater services or providing hydroelectric power. **Note:** To enact a law granting a water district eminent domain authority, a two-thirds vote of each house of the legislature is required.

**Information to Provide With Your Request.** Please provide the complete text of any form bill that has been drafted to create a water district by local law. The form bill should address the items below. If a form has not already been prepared, or if the form does not address the items below, you will need to provide the following supporting information with your request:

### Creation

- Type of district you want to create and the applicable Water Code chapter or chapters
- Names of the temporary directors or the preferred method for selecting temporary directors

- Elected or appointed directors
  - Provide state directors' terms of office
  - If elected, specify whether from single member districts, at large, or by a particular other method
  - If appointed, identify who will appoint
- Deadline, if any, for the confirmation election
- Description of initial district territory (If a metes and bounds description is required, please provide it in electronic format, if available.)

### **Powers**

Please specify any nonstandard powers or limits on powers, such as:

- road powers and whether the district will ultimately retain road powers or convey roads to the state, a county, or a municipality for operation and maintenance
- eminent domain powers (see note above)
- power to divide into two or more districts

### **Financial**

Please specify any limitations on the district's authority to:

- impose ad valorem taxes
  - to finance all or part of the district bonds
  - to support district operation and maintenance
- make contract payments
- impose fees
- issue bonds if road powers are granted

**Procedural Note.** The Texas Constitution, Texas statutes, and house and senate rules require publication of legal notice of the intention to introduce certain bills. See Appendix 7, *Texas Legislative Council Drafting Manual* (<http://www.tlc.state.tx.us/legal/dm/draftingmanual.pdf>).

## **Municipal Management Districts**

A municipal management district is a political subdivision of the state created to accomplish several purposes, including the promotion, development, encouragement, and maintenance of employment, commerce, economic development, and public welfare in areas of

the state. **Note:** To enact a law granting a municipal management district eminent domain authority, a two-thirds vote of each house of the legislature is required.

**Information to Provide With Your Request.** Please provide the complete text of any form bill that has been drafted to create a municipal management district by local law. The form bill should address the items below. If a form has not already been prepared, you will need to provide the following supporting information with your request:

- The powers and duties of the proposed district
- The list of proposed initial directors
- A description of initial district territory (If a metes and bounds description is required, please provide it in electronic format, if available.)

**Procedural Note.** The Texas Constitution, Texas statutes, and house and senate rules require publication of legal notice of the intention to introduce certain bills. See Appendix 7, *Texas Legislative Council Drafting Manual* (<http://www.tlc.state.tx.us/legal/dm/draftingmanual.pdf>).



# Amendments and Substitutes

## for Bills and Resolutions

Amendments and substitutes are used to change a bill or resolution after it has been filed, either in committee (committee amendment or substitute) or during floor debate (floor amendment or substitute). An amendment is used to change only part of the bill or resolution. A substitute is an alternative version of the whole bill or resolution.

Legal division attorneys prepare amendments to and substitutes for bills, joint resolutions proposing Texas and U.S. constitutional amendments, and resolutions relating to legislative rules. Research division staff prepare amendments to and substitutes for simple and concurrent resolutions relating to legislative policy or U.S. constitutional amendments. Congratulatory and memorial resolutions generally are not amended or substituted. See **Congratulatory and Memorial Resolutions** to find out why.

**Amendment or Substitute Request.** Request an amendment or substitute by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>)
- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128
- **Phone:** contact the appropriate attorney or researcher or describe general subject matter to a receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney

*Requesting drafts by letter or e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

**Information to Provide With Your Request.** The better the information you provide with your draft request, the better the drafter will be able to correctly and fully address your policy goal. More complete information also means that the draft will be prepared more quickly. The most frequent cause for delay in the preparation of a draft is lack of information.

Please provide the following supporting information with your request:

- Type of document desired (committee amendment, committee substitute, floor amendment, floor substitute)
- Statement of problem or issue
- Statement of goal
- Name of council employee, if any, with whom you have discussed the request
- References to known relevant court cases, constitutional provisions, statutes, attorney general opinions, similar laws in other states, or previous bills
- References to associated drafts previously prepared by the council for your office
- Related newspaper or periodical articles
- Persons or agencies to contact for more information
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor
- Number of the bill or resolution to be amended (or instruction to draft “blind”)
- Time and date when the bill or resolution will be heard in committee or on the floor (if known)

**Obtaining Information About Drafts.** See Sections B and C of this chapter for information about drafts, including:

- Inquiring about the status of a draft
- Obtaining an explanation or interpretation of a legislative document that has been made public

# Committee Stage Bill Analyses

An analysis of a bill or joint resolution at the committee stage of the legislative process describes the background, purpose, and content of the measure. On request, research division staff prepare bill analyses for bills or joint resolutions that have been scheduled for a committee hearing and for bills or joint resolutions that have been reported from committee.

**Confidentiality.** Due to the confidentiality governing communications between council attorneys and legislators, communication between a research division bill analyst and a legal division attorney about a bill or joint resolution is limited to the publicly available text of the bill and to the attorney's relevant technical knowledge of Texas constitutional and statutory law—unless the member who was the original requestor of the bill draft waives that confidentiality. Bill analysis requests are covered by the same confidentiality policy that the council applies to drafts of legislation.

**Order of Preparation.** In responding to requests for analyses, council staff will give priority to bills or joint resolutions that are farthest along in the legislative process; among bills or joint resolutions at the same stage, requests will be processed in accordance with council policy to prepare requests in the general order in which the complete request packages are received by the division. Requests will not be considered complete and given a council request number until all required information has been submitted by the requestor. (See **Information to Provide.**)

**Who Can Request.** In accordance with house rules, an analysis for a bill or joint resolution scheduled for committee hearing or an analysis for a bill or joint resolution reported from committee may be requested only by the chair or staff of the committee to which the bill or joint resolution has been referred or by the author or sponsor of the bill or joint resolution.

**How to Request.** A bill analysis should be requested by an authorized requestor through LDR (Legislative Draft Request system: <http://ldr/>). LDR will not process, and the bill analysis section will not accept, a bill analysis request from a legislator other than the author/sponsor of the bill or joint resolution or from a committee other than the one to which the bill or joint resolution has been referred.

**When to Request.** The bill analysis section prepares analyses only for bills or joint resolutions that are at the committee stage of the

legislative process, that is, those set for committee hearing or reported from committee.

- The bill analysis section will not begin processing a request for a committee hearing bill analysis until the bill or joint resolution for which it is requested is scheduled for a committee hearing or the committee has indicated a date on which it will be scheduled for a hearing.
- The bill analysis section will not begin processing a request for a committee report bill analysis until the bill or joint resolution for which it is requested is reported from committee.

**Information to Provide.** Certain information is required to be submitted with any bill analysis request.

- Bill or joint resolution number for which the analysis is being requested (required by LDR)
- Version of analysis (required by LDR)
  - committee report-unamended: for bills or joint resolutions scheduled for committee hearing or bills or joint resolutions reported from committee without amendments
  - committee report-amended: for bills or joint resolutions reported with amendments
  - committee report-substituted: for bills or joint resolutions reported as substituted
- Editable electronic copy of the background and purpose of the measure. The council drafter cannot speculate on the author's/ sponsor's purpose and cannot complete the analysis without this information. The requestor may provide additional information, such as a full draft analysis, that the requestor determines would be helpful.

**Note:** Although the house rules have minimal requirements for the content of a bill analysis for a committee hearing, the bill analysis section will prepare a bill analysis for a committee hearing in the same detail as required for a committee report. Thus, the committee hearing analysis also will serve as the committee report analysis for a bill or joint resolution reported from committee unamended.

Other information required to be submitted with a request will depend on the type of request.

- If the request is for an analysis of a bill or joint resolution reported as amended, the text of each amendment adopted by the committee is required. The drafter cannot complete the analysis without the adopted amendment text.
- If the request is for an analysis of a bill or joint resolution reported as substituted, an editable electronic copy of the adopted substitute text is required. The drafter cannot complete the analysis without the substitute text; an editable electronic copy enables the drafter to create an electronic comparison of the versions from which to draft the comparison section, greatly expediting the drafting process.

**Drafting Instructions.** Because the intent of the senate and house rules in requiring an analysis is to provide the members of a committee or a chamber with objective information about the legislation that is the subject of the analysis, the requestor is permitted to have only limited input on how the analysis is prepared. Such input will be limited primarily to the preparation of the background and purpose section of the analysis. In most cases, the council should be able to deliver an identical analysis to both a requesting author/sponsor and a requesting committee, and rewrites of a delivered analysis by council staff will be limited to those needed to correct errors in the bill analysis. Other changes to the analysis must be made by the requestor.

**Bill Analysis Delivery.** A bill analysis is only delivered electronically. Delivery to a requesting committee is made through the committee system. Delivery to the author or sponsor is made through a stand-alone bill analysis delivery application. Notice of delivery is sent to the e-mail address of the person in the requestor's office designated to receive draft request completion memos from the council. Delivery to any other person is the responsibility of the requestor to whom the council delivers the analysis.

**Altering a Council-Drafted Bill Analysis.** If a requestor alters a delivered council draft, it is no longer a council product, and the council footer is no longer valid.

- Bill analyses that are delivered to the committee system are formatted so that they can be submitted electronically to the committee coordinator. The committee clerk may choose to submit the council-drafted bill analysis or may create an alternate bill analysis using the committee's bill analysis drafting tool.
- Bill analyses are delivered to an author/sponsor in Word format with a council footer. Members have an option to view and print

the analysis. This option will convert the Word document to a PDF format and retain the council footer. Members also have an Edit option that allows editing of the Word document. If the Word document is opened for editing, the council footer and file name are stripped from the document. The edited version must be saved with a new file name.

The above policies and procedures relating to the council's committee stage bill analysis services are not intended to be an official interpretation of the Rules of Procedure of the House of Representatives. Questions about the interpretation of rules relating to bill analyses should be addressed to the house parliamentarian.

# Conference Committee Reports

## Text and Analysis

**Text.** When a bill or joint resolution that has been amended by the opposite chamber is returned to the originating chamber, if the originating chamber does not concur with some or all of the opposite chamber's amendments, a conference committee may be appointed by the lieutenant governor and speaker of the house to resolve the differences between the two versions of the bill or resolution and issue a conference committee report. Like an ordinary committee substitute, conference committee report bill text consists of a complete version of the bill or joint resolution.

Legal division attorneys prepare conference committee report text.

**Analysis.** A three-column side-by-side analysis of the differences in the senate, house, and conference committee versions of a bill or joint resolution is **required** by the rules of both chambers. The purpose of the analysis is to enable legislators to compare the bill or joint resolution sections that are in disagreement in the senate and house versions and to see how the conference committee resolved the disagreements.

Research division staff prepare side-by-side analyses for conference committee reports.

If a conference committee wants a two-column side-by-side analysis comparing only the senate and house versions of a bill, either for use in its deliberations or to draft its own three-column side-by-side analysis, a full text two-column side-by-side analysis is available on the TLIS text page for the bill in both PDF and Word formats. For house bills, the two-column side-by-side analysis may be found in the analysis column for the Senate Amendments Printing. For senate bills, the two-column side-by-side analysis may be found in the Additional Documents section of the page.

**Text Request.** Request conference committee report text by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>)
- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128

- **Phone:** contact the appropriate attorney or describe general subject matter to a receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney

*Requesting drafts by letter or e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

**Information to Provide With Text Request.** Please provide the following information with your request:

- Number of bill or joint resolution that is in conference
- Clear instructions about manner in which differences are to be reconciled
- Persons or agencies to contact for more information
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor

**Analysis Request.** Because of staff and time constraints, a request for a side-by-side analysis for a conference committee report may be made only when the bill or joint resolution is in conference committee and only by a member of the conference committee. Request a side-by-side analysis for a conference committee report by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>)
- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128
- **Phone:** contact Sandie McClellan or Tammy Edgerly, (512) 463-1143

*Requesting drafts by letter or e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

**Information to Provide With Analysis Request.** Please provide the following information with your request:

- Number of bill or joint resolution to be analyzed
- The council request number if text is being drafted by the council or an editable electronic copy of the conference committee report bill text; an editable electronic copy of the text will expedite drafting and verification

**Note:** The third column of the analysis, whether for a proposed or final conference committee report version of the measure, cannot be verified as reflecting bill text content *until the conference committee report bill or joint resolution text is available*. Because of staff and time constraints, a request for a side-by-side analysis for a conference committee report may be made only when the bill or joint resolution is in conference committee and only by a member of the conference committee. If the conference committee report text is not council-drafted, an editable electronic copy of the text should be provided with your request, as this will significantly expedite drafting and verification. If deadlines require the analysis to be delivered before the conference committee report bill text is available to verify the content of the third column, the Associated CCR Draft footer will show “TNA” to indicate that text was not available to the drafter.

- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor

**Obtaining Information About Drafts.** See Sections B and C of this chapter for information about drafts, including:

- Inquiring about the status of a draft
- Obtaining an explanation or interpretation of a legislative document that has been made public



# Congratulatory and Memorial Resolutions

## (Simple, Concurrent, or Member Resolutions)

Congratulatory resolutions typically honor individuals, institutions, or organizations for accomplishments or commemorate or acknowledge events. Memorial resolutions pay tribute to the life of a deceased individual.

A resolution whose sole intent is to congratulate or honor or to pay tribute to the life of an individual is not referred to a substantive committee before being considered by the full chamber. If a congratulatory or memorial resolution also expresses or endorses a view or position on a policy issue, it is considered a legislative policy resolution and is referred to a substantive committee.

Congratulatory and memorial resolutions generally are not amended or substituted because they are not referred to a substantive committee and are not debated on the chamber floor. An author who wants to change a congratulatory or memorial resolution should have a new resolution prepared for filing and notify the committee clerk, the secretary of the senate, or the chief clerk, as appropriate, that the author does not intend to pursue passage of the original resolution.

**Type of Resolution.** A congratulatory or memorial resolution can be drafted as a concurrent, simple, or member resolution. A **concurrent resolution** may originate in either chamber but must be adopted by both. It does not require a third reading but is submitted to the governor for approval. A **house or senate simple resolution** is adopted by the chamber of origin alone and is not submitted to the governor for approval. A **member resolution** is not introduced or acted on by the legislature and cannot effect legislative action. It is prepared with a signature line for the requesting legislator and expresses the sentiments of that individual legislator, rather than those of the house or senate. Because it is not acted on by the legislature, a member resolution cannot “proclaim” or “designate,” but it can “recognize” or “honor.”

Research division writers draft congratulatory and memorial resolutions.

**Resolution Request.** Request a congratulatory or memorial resolution by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>) with background information attached

- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver with background information attached to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128; or fax to (512) 936-1020, Attn. Patty McLeod
- **Phone:** contact Patty McLeod, (512) 463-1143

*Requesting drafts by letter or e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

**Duplicate Draft Requests.** Frequently, a legislator makes a request for a draft that is identical to a request previously made by another legislator. See **Duplicate Draft Requests** for more information.

**Information to Provide.** Please provide the necessary background information with your request. Resolution drafters do not gather background information for a resolution request. The information required will depend on the subject of the resolution:

- **Individuals**—General biographical information, including education, career, civic activities; specific information as appropriate (date of marriage and family information for wedding anniversaries, date of death and survivors for memorial resolutions, etc.)
- **Institutions**—Information about the purpose, history, or accomplishments of the institution or organization; names and positions of significant individuals (clergy for churches, officers for civic organizations, sponsors or coaches and individual award winners for school organizations and teams)
- **Events**—Date, place, and history of event; highlights of activities; organizations benefiting from or sponsoring event
- **Special observances**—Name of individual, organization, place, or activity being recognized; day, week, or month for observance; background information justifying the observance
- **State symbols, place designations, or date recognitions**—Information related to the historical or cultural significance of the symbol, event, or location to be designated. **Note:** Special restrictions apply to the adoption of the aforementioned designations. See **State Symbol, Place Designation, and Date Recognition Resolutions** for more information.

Staff have prepared a number of questionnaires designed to assist individuals with gathering pertinent background information for resolutions on the following topics:

- Birthdays
- Churches
- Clergy
- Eagle Scouts/Girl Scouts
- Graduates (including valedictorians and salutatorians)
- Legislative Interns
- Memorials
- Retirements
- Sports (Individual)
- Sports (Team)
- Wedding Anniversaries

See each questionnaire (<http://capweb/gtlc/drafting/resos-congrat.html>) for more information.

**Delivery Instructions.** Please include a special instruction if the request is to be delivered to a place other than the Capitol office of the requestor.

**Parchment Copies.** Unless different instructions are provided, final legislative resolution drafts are prepared on plain paper, ready for introduction. (See *Contents of Delivery Folder* in **Draft Deliveries**.) Parchment copies of legislative resolutions must be requested through the appropriate chamber office (chief clerk of the house/secretary of the senate) and cannot be processed until the resolution has been passed and enrolled. Member resolutions are prepared on parchment, suitable for presentation.

**Obtaining Information About Drafts.** See Sections B and C of this chapter for information about drafts, including:

- Inquiring about the status of a draft
- Obtaining an explanation or interpretation of a legislative document that has been made public



# Legislative Policy Resolutions

## (Simple or Concurrent Resolutions)

Legislative policy resolutions are used to request action by a governmental entity or to express the sentiment of the legislature or one of its chambers regarding public policy issues. These resolutions are advisory and have no legal effect.

A legislative policy resolution can be drafted as a concurrent or simple resolution. A **concurrent resolution** may originate in either chamber but must be adopted by both. It does not require a third reading but is submitted to the governor for approval. A **house or senate simple resolution** is adopted by the chamber of origin alone and is not submitted to the governor for approval.

Research division writers draft legislative policy resolutions.

**Resolution Request.** Request a legislative policy resolution by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>)
- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128; or fax to (512) 936-1020, Attn. Patty McLeod
- **Phone:** contact Patty McLeod, (512) 463-1143

*Requesting drafts by letter or e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

**Information to Provide.** Please provide the following supporting information with your request:

- Statement of problem or issue
- Statement of goal
- References to relevant court cases, constitutional provisions, statutes, attorney general opinions, similar laws in other states, or previous bills (if known)
- Related newspaper or periodical articles
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor

**Obtaining Information About Drafts.** See Sections B and C of this chapter for information about drafts, including:

- Inquiring about the status of a draft
- Obtaining an explanation or interpretation of a legislative document that has been made public

# Permission to Sue the State Resolutions

## (Concurrent Resolutions)

The usual legislative vehicle for grants of permission to sue the state is a concurrent resolution. Although permission also may be given by special law, a concurrent resolution is preferred because it can take effect immediately on the governor's signature without the two-thirds vote required for a bill to take immediate effect.

Legal division paralegals or attorneys draft concurrent resolutions authorizing suits against the state.

**Resolution Request.** Request a permission to sue the state resolution by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>)
- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128
- **Phone:** contact the appropriate attorney or describe general subject matter to a receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney

*Requesting drafts by letter or e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

**Information to Provide.** Please provide the following supporting information with your request:

- Full names of plaintiffs
- Statement of cause of action or injury
- Name of defendant agency
- Special conditions of permission, such as limited venue
- If suit is already filed, copy of pleadings
- Related newspaper or periodical articles
- Persons (such as plaintiff's attorney) to contact for more information

- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor

**Obtaining Information About Drafts.** See Sections B and C of this chapter for information about drafts, including:

- Inquiring about the status of a draft
- Obtaining an explanation or interpretation of a legislative document that has been made public

# Rules Resolutions

## (Simple or Concurrent Resolutions)

Legislative rules are amended or suspended by resolution. The subject matter will determine whether a simple or concurrent resolution is required. For example, a resolution suspending the limitations on a conference committee must be a concurrent resolution, and a resolution amending the rules of procedure of one chamber would be a simple resolution.

Legal division attorneys draft rules resolutions.

**Resolution Request.** Request a rules resolution by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>)
- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128
- **Phone:** contact the appropriate attorney or describe general subject matter to a receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney

*Requesting drafts by letter or e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

**Information to Provide.** Please provide the following supporting information with your request:

- Statement of problem or issue
- Statement of goal
- References to relevant court cases, constitutional provisions, statutes, attorney general opinions, similar rules in other states, or draft rules (if known)
- Related newspaper or periodical articles
- Persons or agencies to contact for more information
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor

**Obtaining Information About Drafts.** See Sections B and C of this chapter for information about drafts, including:

- Inquiring about the status of a draft
- Obtaining an explanation or interpretation of a legislative document that has been made public

**Parliamentary Questions.** Legal division attorneys do not make advisory rulings on parliamentary questions; direct those inquiries to the parliamentarians of the respective houses.

# Side-by-Side Analyses of Legislation

Research division staff draft certain types of comparative analyses of legislation that are required by senate and house rules.

- Side-by-side analysis of the differences between the final senate and house versions of a bill or joint resolution
- Side-by-side analysis of the differences in the final senate and house versions of a bill or joint resolution and in a proposed or final conference committee version

Because staff resources are limited, the staff generally do not prepare other types of comparative analyses of legislation during a legislative session.

## Senate or House Amendments Analysis

A senate or house amendments analysis (SAA or HAA) shows the differences between the final senate and house versions of a bill or joint resolution. The house rules require an SAA to be prepared by the council before a house measure can be taken up for a motion to concur in senate amendments or a motion to request a conference committee. Research division staff prepare a side-by-side comparison for each house bill amended by the senate. They also prepare HAAs for senate bills amended by the house.

**Analysis Request.** It is not necessary to request an SAA or HAA because one is prepared automatically. An SAA for a bill or joint resolution is posted on the TLIS and TLO text pages with the Senate Amendments Printing. An HAA for a bill or joint resolution is posted on the TLIS text page under Additional Documents.

## Conference Committee Report Analysis

The rules of both chambers require a side-by-side analysis of the differences in the senate, house, and conference committee versions of a bill to be included in the conference committee report. The purpose of the analysis is to enable legislators to compare the bill sections that are in disagreement in the senate and house versions and to see how the conference committee resolved the disagreements.

**Note:** The third column of the analysis, whether for a proposed or final conference committee report version of the measure, cannot be verified as reflecting bill text content *until the conference committee*

*report bill or joint resolution text is available.* Because of staff and time constraints, a request for a side-by-side analysis for a conference committee report may be made only when the bill or joint resolution is in conference committee and only by a member of the conference committee. If the conference committee report text is not council-drafted, an editable electronic copy of the text should be provided with your request, as this will significantly expedite drafting and verification. If deadlines require the analysis to be delivered before the conference committee report bill text is available to verify the content of the third column, the Associated CCR Draft footer will show “TNA” to indicate that text was not available to the drafter.

**Analysis Request.** See **Conference Committee Reports** for information on requesting a conference committee report side-by-side analysis.

# State Symbol, Place Designation, and Date Recognition Resolutions

Research division writers draft concurrent resolutions relating to state symbol and place designations, as well as those relating to the annual recognition of days, weeks, or months.

**Restrictions on these types of resolutions.** In 2001 the legislature placed restrictions on the future adoption of state symbol and place designations, and in 2009 the legislature placed restrictions on the future adoption of date recognitions. Before adopting a resolution designating a state symbol or place or annually recognizing a day, week, or month, Chapter 391, Government Code, requires that the legislature be presented with information relating to the historical or cultural significance of the item to be designated as a symbol or of the event, location, or date to be recognized.

Individuals, events, places, and commercial products or items that promote or advocate the use of commercial products are prohibited from being designated as state symbols.

For place designations, in addition to information related to the historical or cultural significance of the location seeking the designation, the legislature requires documentation that a local chamber of commerce or a locally elected governmental body representing the location to be designated supports the designation. A place may not have more than one designation at a time, and the legislature may not assign the same place designation to more than one event or location.

For date recognitions, the legislature requires that persons supporting the designation present information related to the historical or cultural significance of the day, week, or month to be recognized.

A place designation and date recognition expire on the 10th anniversary of the designation but may be redesignated during or after the 10-year period. Place designations made by the legislature by statute or by resolution before passage of the special restrictions in 2001 and date recognitions made by statute or by resolution before the passage of the special restrictions in 2009 remain in effect.

**Resolution Request.** Request a state symbol, place designation, or date recognition resolution by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>) with background information attached

- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver it with background information attached to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128; or fax to (512) 936-1020, Attn. Patty McLeod
- **Phone:** contact Patty McLeod, (512) 463-1143

*Requesting drafts by letter or e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

**Obtaining Information About Drafts.** See Sections B and C of this chapter for information about drafts, including:

- Inquiring about the status of a draft
- Obtaining an explanation or interpretation of a legislative document that has been made public

# Texas Constitutional Amendments

## (Joint Resolutions)

Amendments to the Texas Constitution are proposed and adopted by joint resolution, then submitted to the voters for approval. Joint resolutions for this purpose are drafted by legal division attorneys, each of whom is assigned responsibility for one or more areas of law.

**Constitutional Amendment Request.** Request an amendment to the Texas Constitution by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>)
- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128
- **Phone:** contact the appropriate attorney or describe general subject matter to a receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney

*Requesting drafts by letter or e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

**Information to Provide With Your Request.** The better the information you provide with your draft request, the better the drafter will be able to correctly and fully address your policy goal. More complete information also means that the draft will be prepared more quickly. The most frequent cause for delay in the preparation of a draft is lack of information.

Please provide the following supporting information with your request:

- Type of document desired (joint resolution)
- Statement of problem or issue
- Statement of goal
- Name of council employee, if any, with whom you have discussed the request
- References to known relevant court cases, constitutional provisions, statutes, attorney general opinions, similar laws in other states, or previous bills

- References to associated drafts previously prepared by the council for your office
- Related newspaper or periodical articles
- Persons or agencies to contact for more information
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor

**Obtaining Information About Drafts.** See Sections B and C of this chapter for information about drafts, including:

- Inquiring about the status of a draft
- Obtaining an explanation or interpretation of a legislative document that has been made public

# U.S. Constitutional Amendments

## (Joint, Simple, or Concurrent Resolutions)

A **joint resolution** is used to request a convention to propose an amendment to the U.S. Constitution or to ratify an amendment to the U.S. Constitution. A **simple or concurrent resolution** is used to petition the U.S. Congress to propose an amendment to the U.S. Constitution.

**Resolution Request.** Request a resolution relating to amending the U.S. Constitution by one of these methods:

- **Online:** submit through LDR (Legislative Draft Request system: <http://ldr/>)
- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128
- **Phone:** contact the appropriate attorney or describe general subject matter to a receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney

***Requesting drafts by letter or e-mail is strongly discouraged.***  
See **Request Procedures** to find out why.

**Information to Provide With Your Request.** The better the information you provide with your draft request, the better the drafter will be able to correctly and fully address your policy goal. More complete information also means that the draft will be prepared more quickly. The most frequent cause for delay in the preparation of a draft is lack of information.

Please provide the following supporting information with your request:

- Type of document desired (joint, simple, or concurrent resolution)
- Statement of problem or issue
- Statement of goal
- Name of council employee, if any, with whom you have discussed the request
- References to known relevant court cases, constitutional provisions, statutes, attorney general opinions, similar laws in other states, or previous bills

- References to associated drafts previously prepared by the council for your office
- Related newspaper or periodical articles
- Persons or agencies to contact for more information
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor

**Obtaining Information About Drafts.** See Sections B and C of this chapter for information about drafts, including:

- Inquiring about the status of a draft
- Obtaining an explanation or interpretation of a legislative document that has been made public

# Draft Deliveries

**Electronic Delivery.** Completed legislative and member resolution drafts are delivered electronically to the requesting legislator's LDR account, where they may be accessed from the Office Drafts Report page. A PDF version with the council footer and an editable Word version without the footer are provided.

If the requestor has asked that a copy be provided to another office with an LDR account, a PDF version with the council footer and an editable Word version without the footer are posted to that office's LDR account, and any hard copies requested for that office are delivered to that office. If the requestor has asked that an electronic copy be provided to someone without LDR access, the council will e-mail an electronic copy of the document to a recipient in the legislative Outlook address book. The requestor is responsible for delivery of any electronic copies to recipients outside the legislative community.

**Hard Copy Delivery.** Completed drafts are delivered in hard copy format to the requesting legislator's Capitol office unless the council has received other instructions. The delivery folder must be signed for by the requesting legislator, a member of that legislator's staff, or another authorized person specified in the delivery instructions. If the council receives instructions to deliver only to a specific person, that person must be present to receive and sign for the folder.

If the requestor has asked that hard copies be provided to another office, the council will deliver copies to a recipient in the Capitol Complex. The requestor is responsible for delivery of any hard copies to recipients outside the legislative community.

**Reschedule Hard Copy Delivery.** A notice will be left under the office door by a council delivery assistant who has attempted delivery and found the office locked or without an authorized person present to receive the folder. To reschedule delivery, call (512) 463-1127.

## Contents of Delivery Folder

- **Most final drafts.** Unless different instructions are provided, final legislative drafts are prepared to be ready for introduction. The requesting legislator receives the number of copies required for filing in the requestor's chamber, plus a few courtesy copies for the requestor's use. If the draft is original legislation, rather than an amendment or substitute, the packet also includes one single-sided copy in a preprinted back as well as, for house drafts, one double-sided copy in a plain back. If something other

than the standard packet is needed, indicate what is needed at the time of the request.

- **Member resolutions.** Member resolutions are printed on parchment, suitable for presentation. Unless otherwise specified, the delivery folder will contain two parchments for presentation and one copy on plain paper.

**Parchment Copies of Legislative Resolutions.** Parchment copies of legislative resolutions are not prepared by the council. They must be requested through the appropriate chamber office (chief clerk of the house/secretary of the senate) and cannot be processed until the resolution has been passed and enrolled.

# Additional Copies After Delivery

Legislators and their staffs request additional copies after delivery of a document in the following circumstances:

- additional draft copies are needed
- a set is needed for introduction in the other chamber (**Note:** For a simple resolution, a new resolution will have to be drafted because a simple resolution includes language specifying the chamber.)
- copies have been misplaced or damaged

**Copy Request.** To request additional copies, contact a legal division administrative assistant, (512) 463-1155.

**Type of Request.** Please specify the type of copy request:

- Filing packet (the number of copies required for filing in the requestor's chamber, plus a few courtesy copies for the requestor's use)
- A specified number of additional copies



**Chapter 1**  
**Legislative Drafting**  
**B. Procedures**



# Levels of Drafting Service

**Legal Division.** The council’s legal division offers four levels of legislative drafting service:

- **Original drafting** (denoted by a “D” in the request’s unique number). The requestor has described a policy goal, perhaps also suggesting a means to the end, and the council drafter prepares a new document to accomplish that goal. The council drafter is responsible for all aspects of the draft.
- **Form drafting** (denoted by an “F” in the request’s unique number). The requestor has supplied the drafter with a draft of a bill or resolution prepared by the requestor, a constituent, or another source that the requestor wishes the council to use as the basis for the council draft. The council drafter is responsible for: (a) as necessary, advising the requestor as to whether the document amends appropriate law and complies with the rules of the constitution and respective chambers and as to whether the document achieves the policy goal of the requestor; and (b) preparing the document in a manner consistent with the law, including the state and federal constitutions, and with council style, unless the requestor indicates another preference.
- **Edit only** (denoted by an “E” in the request’s unique number). The legal editing staff edit a document supplied by the requestor to ensure that citations are correct, that the version of the statute being amended is the current text of the statute, and that the document complies with constitutional and procedural rules of form. The editing staff also correct grammatical and spelling errors. Such a document is not reviewed by an attorney. The director of the legal division determines whether a document is suitable for this service. Because of the limited size of the editing staff and the desirability of attorney review of legal documents, this service is not widely available.
- **Type only** (denoted by a “T” in the request’s unique number). The requestor submits a document for typing only. The document production division types the document exactly as is, correcting only unambiguous misspellings. Each request for this service is briefly reviewed by the director of the legal division, who determines whether the document is suitable for this service. The document is not otherwise reviewed by an attorney or legal editor. A request that does not include at least a rough, complete

document is not appropriate for this service. Council staff make no representation that the printed “T” document is correct as to form or substance.

**Research Division.** The council’s research division generally offers two levels of service for the drafting of congratulatory, memorial, and legislative policy resolutions. Requests for “type only” service are reviewed by the research division director and, if approved, processed as described above.

- **Original drafting** (denoted by a “D” in the request’s unique number). The requestor has described the purpose of the measure, and the drafter prepares a new document to accomplish that purpose. The council drafter is responsible for all aspects of the draft.
- **Form drafting** (denoted by an “F” in the request’s unique number). The requestor has supplied the drafter with a draft of a resolution prepared by the requestor, a constituent, or another source that the requestor wishes the council to use as the basis for the council draft. The council drafter is responsible for: (a) ensuring that the document complies with legislative format requirements; (b) ensuring that the document is prepared in a manner consistent with rules of style, grammar, and spelling; and (c) advising the requestor about whether the document complies with state law and legislative rules of procedure and whether it contains factual errors or other problems.

# Council Draft Footers

**Council Request Number Footer.** Each request for a legislative draft is assigned a unique number for identification and tracking, which generally may be found in a footer in the lower left corner of the document. In a footer such as “82R0100 XYZ-D”:

- The first two digits designate the session.
- The letter R designates a regular session request (the letter S followed by a number, such as “S1,” designates a special session request and the number of that session).
- The next series of digits is the document’s unique number.
- The letters following the unique number are the initials of the drafter.
- The letter following the hyphen indicates the level of service provided by the council—original drafting (D), ensuring proper form and style (F), edit only (E), or type only (T).

If an editable electronic copy of a document is provided, the council request number footer is removed to ensure that if a recipient alters the document, the altered version of the document is not misidentified as a council product.

**Council Document ID Footer.** It is occasionally not possible to process a legislative document through all of the quality control processes described on the **Drafting Process** page of this guide, such as when an amendment is drafted on the house floor. In such cases, the document is considered an “informal draft” and does not have a council request number footer. Instead, it has a document ID number in the lower right corner. This number allows a reader to identify the council as the source of the document while being alerted to the fact that the document did not go through all of the council quality control processes.

**Side-by-Side Analysis Footers.** Because of extreme time constraints, all side-by-side analyses are processed as informal drafts and have the council document ID number in the lower right corner. A side-by-side analysis also has a footer in the lower left corner that provides information about the corresponding conference committee report bill text. If the conference committee report bill text that corresponds to an analysis is council-drafted, the Associated CCR Draft footer will show the council request number of that text so that readers can be sure they are matching the analysis to the corresponding text. If the

conference committee report bill text that corresponds to an analysis is not council-drafted, the Associated CCR Draft footer will show “NC” to indicate there is no council request number to match to the analysis. If deadlines require the analysis to be delivered before conference committee report bill text is available to verify the content of the third column, the Associated CCR Draft footer will show “TNA” to indicate that conference committee report bill text was not available to the drafter.

# Request Procedures

**Legislative Draft Request System.** The Legislative Draft Request (LDR) system allows legislators and committees to request legislative drafts and member resolutions, access information about those requests, and view completed draft text. A link to LDR is provided on the Capweb home page. Use of this system to submit legislative draft requests is encouraged by the council because it is fast, confidential, and convenient and helps ensure that you will get the document you requested in the most efficient manner possible. If you need a draft delivered within 24 hours or need to make a time-sensitive request outside of ordinary business hours, use LDR **and** contact the appropriate division by phone.

## **Tips for Submitting LDR Requests to the Legal Division:**

- Submit a separate LDR request for each bill, joint resolution, committee substitute, or amendment that you expect to be drafted.
- Step 3 on the LDR request form, “Additional information,” allows you to submit supporting and related documents. In particular:
  - Use this feature to add attachments to your request instead of pasting text into the LDR request form. (When text is pasted into the “Problem or Issue to be Addressed” box in Step 1, all the formatting, including underlining and ~~strikethrough~~, is lost.)
  - Use this feature to reference an associated bill or resolution.
- If you are requesting a new version of a document previously drafted by an attorney in the current legislative session, please specify the council draft number of the draft to be modified.  
**Note:** If you need changes to a document that has not yet been delivered, please contact the drafting attorney and do not submit a new LDR request.

For additional tips on submitting an LDR request for a bill, joint resolution, committee substitute, or amendment, see LDR Tips for Legal Division Requests ([http://capweb/gtlc/drafting/LDR\\_tip\\_sheet.pdf](http://capweb/gtlc/drafting/LDR_tip_sheet.pdf)). If you would like to know more about requesting specific types of legislative documents, see **LDR Document Types** or the Legislative Drafting Services Quick Reference web page (<http://capweb/gtlc/drafting/drafting.html>).

**Submitting Requests by Form or Phone.** Although the LDR system is the preferred method for submitting requests for legislative drafts and member resolutions, the following methods also are acceptable:

- **Hard copy:** fill out a paper draft request form (<http://capweb/gtlc/drafting/request.pdf>) and deliver to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128
- **Phone:** contact the appropriate attorney or research division section manager or describe general subject matter to a receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney; see the research division web page (<http://capweb/gtlc/divisions/research.html>) to determine the appropriate section manager

**Submitting Requests by Letter or E-mail.** Letters and e-mail are not recommended methods for submitting requests because they may delay processing of the request.

- Letter and e-mail communications do not normally contain sufficient information to open a request file. Processing of the request will be delayed until the recipient has time to contact the requestor to obtain additional information. The online request system (LDR) and the request forms (<http://capweb/gtlc/drafting/request.pdf>) include prompts for the essential information so that processing of the request can be expedited and the drafter can focus on drafting and other duties.
- Processing of a letter or e-mail request will be further delayed until the recipient has time to transfer the contents of the letter or e-mail to a draft request form and forward it to the request processing team to complete processing.

E-mail is **strongly** discouraged for additional reasons.

- E-mail communications to an individual's e-mail address are not accessible by other staff. In the event the intended recipient is out of the office for an extended period of time, or in the case of an urgent request, this can result in a major delay for the requestor.
- E-mail communications are easily overlooked when the volume of e-mails received is high. LDR requests are sent to a central queue to be processed by the first available member of a team

dedicated to that task; hard copy request forms delivered to a drafter's desk are not easily overlooked.

- Busy staffers may not be able to check their e-mail inboxes regularly.

**Request Acknowledgment.** After the unique number is assigned to a request for a draft of legislation other than a congratulatory, memorial, or legislative policy resolution or a side-by-side analysis, the legislator's office is notified by e-mail that the request has been received and assigned. The electronic acknowledgment includes the document's unique number, a brief description of the request, and the name of the person to whom the request has been assigned. This information also appears in your LDR account.

If such an acknowledgment has not been received within a few days after you have sent a request to the council, call a council receptionist, (512) 463-1155, to confirm that the request has been received. Describe the type of request so that the receptionist can direct your call to the appropriate person.



# LDR Document Types

**Bill.** A bill is used to enact, amend, or repeal state laws.

**Joint Resolution.** A joint resolution is used to propose an amendment to the Texas Constitution, ratify a proposed amendment to the U.S. Constitution, or request a constitutional convention to propose amendments to the U.S. Constitution. (Note: A simple or concurrent resolution is used to petition the U.S. Congress to propose an amendment to the U.S. Constitution.) A joint resolution takes the same course through both chambers as a bill and is like a bill in all respects except that, in the house, if it receives the required number of votes at any reading after the first reading, the resolution is passed. Three readings are required to pass a joint resolution in the senate. Joint resolutions passed by the legislature are not submitted to the governor for signing but are filed directly with the secretary of state.

**Amendment or Substitute.** An amendment or substitute is used to change a bill or resolution after it has been filed, either in committee (committee amendment or substitute) or during floor debate (floor amendment or substitute). An amendment is used to change only part of the bill or resolution; an amendment adopted by the committee must be approved by a floor vote before it becomes part of the bill or resolution. A substitute is an alternative version of the whole bill or resolution.

**Conference Committee Report Bill Text.** A conference committee report is the product of a conference committee, which is a joint committee appointed by the lieutenant governor and speaker of the house to resolve matters in disagreement between the two houses on a bill or joint resolution. Like an ordinary committee substitute, conference committee report bill text consists of a complete version of the bill or resolution.

**Side-by-Side Analysis for Conference Committee Report.** A side-by-side analysis is required for a conference committee report. The purpose of the side-by-side analysis is to enable legislators to compare the bill or joint resolution sections that are in disagreement in the senate and house versions and to see how the conference committee resolved the disagreements.

**Simple Resolution.** A simple resolution may be used to:

- adopt or change the rules of procedure of a single chamber
- express congratulations or condolences or recognize an event, person, or entity

- memorialize (petition) the U.S. Congress; endorse a policy, position, or course of action; or direct a state agency, commission, or board to take an action

A simple house or senate resolution is adopted by the chamber of origin alone and is not submitted to the governor for approval. A simple resolution whose sole intent is to express congratulations, recognition, or condolences, and which has no legislative policy implications, is not referred to a substantive committee before being scheduled for consideration by the full chamber.

**Concurrent Resolution.** A concurrent resolution may be used to:

- provide for a joint session or adjournment for more than three days, adopt joint rules of procedure, or suspend limitations on conference committees
- grant permission to sue the state
- make technical corrections to a bill on enrollment
- designate an official state symbol, place designation, or annual recognition of days, weeks, and months
- memorialize (petition) the U.S. Congress; endorse a policy, position, or course of action; or direct a state agency, commission, or board to take an action
- express congratulations or condolences or recognize an event, person, or entity

A concurrent resolution may originate in either chamber but must be adopted by both. Only two readings are required to pass a concurrent resolution. Concurrent resolutions, except those that pertain solely to matters between the two chambers (such as adopting joint rules of procedure or suspending limitations on conference committees), must be submitted to the governor for approval. A concurrent resolution whose sole intent is to express congratulations, recognition, or condolences, and which has no legislative policy implications, is not referred to a substantive committee before being considered by the full chamber. Because of timing issues relating to presentation of a congratulatory or memorial resolution, legislators who want both houses to adopt the resolution may opt to have identical simple resolutions prepared rather than a concurrent resolution.

**Member Resolution.** A member resolution is not introduced in or acted on by the legislature and cannot effect legislative action. It is prepared with a signature line for the requesting legislator rather than the legislative certification signature lines and expresses the sentiments

of that individual legislator, not those of the house or senate. Because a member resolution is not acted on by the legislature, it cannot “proclaim” or “designate,” but it can “recognize” or “honor.”

**Bill Analysis.** A bill analysis describes the background, purpose, and content of a bill. A bill analysis is required for a bill to be considered in a committee hearing and for the committee report. The research division staff prepare a committee stage bill analysis for a bill or joint resolution at the request of the chair or staff of the committee to which the measure was referred or at the request of the author or sponsor of the measure.



# Filing an Altered Council Draft

Drafts of legislative documents prepared by council staff are stored in a computer database, which expedites the processing of a document after it becomes filed legislation. The staffs of both chambers rely on that computer text in entering text into TLIS and in preparing official printings of legislation. Changes made to a draft by persons other than council personnel before introduction of the legislation are often difficult to detect and invite error at different stages of consideration. For that reason, the council requests that legislators and their staffs take the following steps when making a change to a council document before introduction:

- Draw a line through, but do not obliterate, the council unique number in the footer of the document.
- If possible, please notify the document production division director or a deputy director of the changes. A convenient online “Notice of Alterations” form is provided for this purpose on the Office Drafts Report page of LDR (Legislative Draft Request system: <http://ldr/>).

A notice of this policy is included in each delivery packet of a legislative document, along with a form that legislators and staff may use to notify the document production division staff of the changes made.



# Drafting Process

**The Most Visible Role.** Aside from providing and maintaining the computers and other information systems equipment and applications that have come to be an integral part of the legislative process, the most visible role of the council during a legislative session is that of preparing drafts of bills, resolutions, and other legislative documents. Each session, the council will prepare more than 20,000 documents for consideration and use by legislators. Although what follows describes in some detail the process for a bill drafted by the legal division, the same process—with appropriate adjustments—is followed in the production of other legislative documents such as congratulatory and memorial resolutions drafted by the research division.

**Speed and Quality.** The council staff operate with the goal of each document being as near to perfect as humanly possible, given the reality that mistakes can jeopardize the passage of a legislative document and, if enacted into law, can affect the lives of more than 24 million Texans. The council process is designed to foster precision, although to a client, the number of steps in the council process may seem burdensome and inefficient, particularly given the speed of computer word-processing. While it is true that technology has empowered the council staff to provide an ever-increasing number of drafts more efficiently, it has not gone so far as to create magic doors through which a request can enter and exit in mere moments. The high quality demanded of all drafts, and the creativity required of most drafts, are time-consuming aspects of the work.

**Production Steps.** There are a number of persons and steps involved in council preparation of legislative documents. Almost every document, from the simplest to the most complex, must go through each of the steps. The time spent at each step varies, of course, depending on the complexity of the draft.

The typical request for a draft of a bill, for example, is handled by at least 15 to 20 people:

- Telephone receptionist or administrative assistant who receives request
- Attorney or administrative assistant who completes council request form, initiating assignment and tracking of request
- Supervising attorney who assigns request to drafting attorney
- Drafting attorney

- Attorney who performs first review of draft
- Attorney who performs second or final review of draft
- Legal editor who edits draft
- Senior legal editor who performs editing review
- Typist who enters draft into computer database
- Proofreaders who perform first proofing
- Proofreaders who perform second proofing
- Proofreader-reviewer who performs review of final product
- Print shop personnel who print copies
- Processing personnel who assemble delivery packets
- Delivery personnel

The council staff routinely evaluate each step in this process to eliminate duplicative or unnecessary steps or steps that add no value to the final product. Balancing the dual needs of quality and speed, the process is as efficient as possible.

**Technical and Creative Work.** Despite the number of steps and people involved, the bulk of the time a request for a legislative document spends in the hands of the council is not in administrative handling or document production. The most time-consuming process is the technical and creative work of the drafter. The task is complex and requires a degree of precision and internal coherence that exceeds that of other types of writing. Although many persons—lobbyists, interest groups, agencies—undertake to prepare legislation, to have the task performed properly generally requires the expertise of professionals such as those employed by the council.

A professional legislative drafter is skilled in the use of tools that enable the legislature to begin the legislative process with a bill or joint resolution that to the greatest extent possible clearly and effectively establishes legislative policy. Those tools, acquired through training and experience, include the following:

- Sound arrangement of ideas
- Avoidance of ambiguity, vagueness, and redundancy but also of dense detail
- Awareness of the substantive and organizational context of state and federal laws on the subject at issue
- Awareness of the canons of statutory interpretation

- Awareness of the mechanics of the legislative process as dictated by the constitution and the rules of the respective houses
- Usage of terms in their normal meaning
- Consistency in manner of expression

The drafting of legislation is more than mere writing. Rather, the skills of drafting operate on both conceptual and verbal levels. On the conceptual level, the drafter must first ascertain and perfect the substantive policies desired. The drafter must understand the idea behind the policy and think it through, employing constructive imagination to consider whether the policy will or will not work practically and administratively. Often, in thinking through the policy goal of the legislation, the drafter will have to return to the client for discussion and exploration of any issues and to identify options for resolving those issues.

It is only after engaging in the conceptual work of a draft that the drafter may begin the verbal work, the process of composing the draft and selecting the appropriate words to put into effect the concept of the draft. Often, the time involved in composition is a fraction of the time involved in thinking through the idea.

- 1. Finding out what the client wants.** The most frequent cause for delay in the preparation of a draft is the lack of information. Many drafts begin with a request based on a statement of the core idea, but the core idea is rarely enough to enable the drafter to fully develop what the client wants. Although the drafter will make many subsidiary policy choices in preparing the draft, often the drafter will need the legislator or an aide to supply additional information or to make significant policy decisions that dictate the form the draft will take.
- 2. Exploring the legal framework.** It is critical to every bill or joint resolution that the drafter explore the constitutional and statutory framework governing the subject of the legislation. This often requires reference to the state and federal constitutions, state and federal statutes, and relevant court cases and attorney general opinions. (What statutes need to be amended or repealed? What administrative practices will be affected? What unintended consequences might result?)
- 3. Developing a plan of organization.** Arrangement of a statute is a key ingredient to the statute's receiving the interpretation and application intended by the legislature. Like an architect

who draws plans for construction, the drafter must select the appropriate concepts and fit them together to avoid gaps, duplication, overlap, and contradiction.

- 4. Preparing a first draft.** Using the tools and skills of a professional and the knowledge gained in the first three steps, the drafter prepares a first draft paying as much attention as possible to the details and technical matters involved. Many issues come to light for the first time during this composition stage, and the drafter will need to get answers or information from the client before proceeding to completion.
- 5. Revising the draft.** The drafter will reread and revise the draft as many times as necessary to produce a satisfactory result.
- 6. Checking the draft.** The drafter will check the details of the draft for form and citation as well as for the elements of consistency, coherence, and clarity.
- 7. Submitting the draft for review.** Every draft is submitted to other attorneys for review, first by a staff attorney who usually will have substantive expertise in the area that is the subject of the draft, and then by a senior attorney. At the first review stage, the reviewer re-creates the drafting process, checking the form and thinking through the substance of the draft. The final review is directed primarily at thinking through the substance of the draft and detecting issues that have escaped the drafter and first reviewer.
- 8. Polishing.** Following review, if necessary, the draft is resubmitted to the drafter for final polish or for the drafter's review of changes made by the reviewers.

**Professional Editing.** Because a bill or similar legislative document is a highly detailed, technical document that must accurately cite and amend the existing body of Texas statutes and comply with strictly enforced parliamentary rules (such as the underlining and bracketing rule), the council employs a staff of full-time legal editors who edit each document for form, style, internal consistency, and grammar. Although the drafting and reviewing attorneys are responsible for creating a document that is technically proper, the legal editors are the fail-safe that ensures that documents prepared by the council will ultimately pass legislative muster as to form. The editors also serve as an important bridge between the drafters and the document production personnel.

**Text Entry, Proofreading, and Printing.** Each legislative document is professionally typed, proofread, and printed. The years of experience and expertise of the staff, plus the ongoing research and development of state-of-the-art equipment, make this a faster part of the process even though it involves a large number of people. As a standard, the document production division usually operates around the clock during a legislative session in order to finish each legislative document within an acceptable time frame after its receipt. (In addition to typing, proofreading, printing, processing, and delivering drafts of legislative documents, the document production division types, proofreads, prints, and transmits all official printings, engrossments, and enrollments of house documents.)

For some documents, data transcribers (typists) enter the complete text into the council computer database; for other documents, they must correct the format and make changes that reflect the drafter's markup of text already in the system.

After text entry, each legislative document drafted by the council is professionally proofread. Proofreading requires a large number of people—at least three people for each proofing step on most documents. Professional proofreading is a major contributor to the very low rate of errors in council documents. No computer program currently available can fully duplicate the functions served by professional proofreading.

Once proofreading has verified that the correct, final text of a document has been achieved, copies of the draft are printed for the use of the legislature and council staff. Although modern computer printers and copiers are capable of producing copies of large documents fairly quickly, the volume of work involved in the preparation of legislative documents dictates the use of printing equipment. During the 81st Legislature, the council printing section printed nearly 30 million pages of text. Neither computer printers nor high-speed copiers can currently compete for speed and cost-efficiency in the production of so many copies.

**How Long Does It Take?** How long it takes from the time the request is received by the council until the finished product is delivered into the hands of the legislator depends on many variables, from the complexity of the draft to the number of other documents being drafted, edited, typed, proofread, or printed on a given day at a given hour. From the staff's perspective, a satisfactory draft always takes more time than the drafter and production staff have; from the legislator's perspective, a draft always takes more time than the legislator desires. Given the time

limitations inherent in a legislative session, the council consistently strives to balance the need for a quality work product with the need for prompt delivery of the finished product.

**Chapter 1**  
**Legislative Drafting**  
**C. Policies**



# Duplicate Draft Requests

Frequently, a legislator makes a request for a draft that is identical to a request previously made by another legislator. Treatment of duplicate requests is guided by three basic principles:

- Each legislator is entitled to have the council prepare a draft on any subject.
- Each legislator is entitled to have requests kept confidential.
- The legislature is best served by avoiding duplication of work to the extent practicable.

The council will follow these procedures when it receives duplicate requests for a draft:

- **Bill or Legislative Policy, Permission to Sue the State, Texas or U.S. Constitutional Amendment, or Rules Resolution.** If a legislator makes a request for one of the above that is identical to a request previously made by another legislator, the council will send to each requestor's designated e-mail contact an e-mail indicating that identical requests have been made by more than one legislator and explaining that each legislator will receive identical drafts with the same council unique number in the lower left corner of the document. (However, if a legislator asks for his or her draft to be prepared with its own council unique number, the draft will be prepared accordingly.) To preserve confidentiality, the identity of each legislator will not be revealed to the other legislator. If one of the legislators asks the council drafter to see if the other legislator would like to work cooperatively on the document, the drafter will do so to the extent it can be done in accordance with the council's confidentiality policies.
- **Congratulatory or Memorial Resolution.** If a legislator makes a request for a draft of a congratulatory or memorial resolution that is the same as a request previously made by another legislator, the council will send to each requestor's designated e-mail contact an e-mail indicating that duplicate requests have been made by more than one legislator and explaining that each legislator will receive identical drafts. To preserve confidentiality, the identity of each legislator will not be revealed to the other legislator. If one of the legislators asks a member of the resolutions section staff to see if the other legislator would like to work cooperatively on the document, the staff member will do so to the extent it can be done in accordance with the council's confidentiality policies.



# Draft Status Inquiries

Check the status of a legislative request by first viewing the Office Drafts Report page in LDR (<http://ldr/>). If further information is needed, direct questions about the status of a draft as specified below.

Document production staff do not respond to telephone inquiries about the status of drafts in their possession. Documents reported to be at that stage of preparation generally will be delivered within 24 hours after receipt. Document production staff are not empowered to honor a request for expedited preparation of a draft.

**Attorney Draft.** For further information on the status of a request being drafted by an attorney in the legal division, call the assigned attorney, (512) 463-1155; if the attorney is unknown, call a legal division administrative assistant, (512) 463-1155. Please have the request number ready.

**Congratulatory, Memorial, or Legislative Policy Resolution Draft.** For further information on the status of a request for a congratulatory, memorial, or legislative policy resolution, call Patty McLeod, (512) 463-1143. Please have the request number ready.

**Bill Analysis.** For further information on the status of a request for a bill analysis, call Carey Eskridge or Tammy Edgerly, (512) 463-1143. Please have the request number ready.

**Side-by-Side Analysis.** For further information on the status of a request for a side-by-side analysis, call Sandie McClellan or Tammy Edgerly, (512) 463-1143. Please have the request number ready.

**Other Research Request.** For further information on the status of any other request being prepared by the research division, call the assigned researcher, (512) 463-1143; if the researcher is unknown, call Pamela Lam-Yip, (512) 463-1143. Please have the request number ready.



# Order of Draft Preparation

Council policy is for each division to prepare requests in the general order in which they are received by the division. That order is reflected in the council unique number assigned to each request. Requests are not completed and delivered strictly in compliance with numeric order, however, for a number of reasons:

- Requests are assigned by subject matter among a large number of drafters whose relative workloads will vary from one time to another.
- Drafts differ greatly in size and complexity—drafters will often complete work on several “easy” requests while working on a long and difficult request.
- Completion of drafting often is delayed while the drafter awaits information or decisions from the legislator or legislator’s staff.

Drafters have limited authority to prepare drafts out of order based on a request for expedited preparation. If it is determined that a legitimate, stated need makes the honoring of the request appropriate and that the expedited preparation will not significantly delay other drafts, then the drafter may prepare a draft out of order. However, since drafts are handled by many other people as well—reviewers, editors, typists, proofreaders, printing personnel—a draft prepared out of order still will require adequate time to allow for the full drafting process.

Requests for expedited preparation are openly discouraged, and timely delivery of last-minute requests cannot be guaranteed. Preparation of one document out of order delays the preparation of documents for all other legislators.



# Assignment of Draft Requests

Work is assigned to employees of the legal and research divisions of the council based on subject matter expertise and workload demands. For example, a request to draft legislation will be assigned to one or more of the drafting attorneys who have subject matter expertise relevant to the proposed legislation, such as in criminal law, primary and secondary education, state finance, state taxation, property law, or insurance law. The drafter's work generally will be reviewed by at least one experienced attorney who has expertise in the relevant subject area.

In accordance with long-standing council practice, the same attorney or group of attorneys will draft proposed legislation in a particular subject area for different legislators who may wish to take different approaches to solving the same or similar legislative problems. This practice explains why the initials of the same drafting attorney may often appear in the council's document unique number in various council-produced legislative drafts that relate to the same legal subject but that were produced for different legislators.

Council services are provided impartially on a nonpartisan basis. Assignments are based on relevant expertise and are made in a manner intended to ensure the highest quality legislative document possible under prevailing time constraints. When possible, any proposed amendment to a bill requested by a legislator will be drafted by the attorney who drafted the bill. The attorney will follow the council's confidentiality policy with regard to any draft. See **Discussion or Analysis of Public Legislative Documents**.



# Discussion or Analysis of Public Legislative Documents

**Discussion of Public Legislative Documents.** Employees of the legal and research divisions of the council may discuss a public legislative document, such as a filed bill, with legislators and their staffs or with others in light of the publicly available text of the document and the council employee's relevant technical knowledge of Texas constitutional and statutory law and house and senate rules. However, with regard to any confidential information that pertains to the public document, council employees will follow the council's confidentiality policy in discussing the document with anyone other than the legislator who requested the document or a member of that person's staff.

**Parliamentary Matters.** With regard to parliamentary matters, council employees may discuss how house or senate rules might affect a filed bill but may not give definitive advice regarding parliamentary matters. For more definitive guidance regarding parliamentary matters, a legislator is advised to consult with the house or senate parliamentarian.

**Analysis of Public Legislative Documents.** Research division staff prepare certain types of analyses of legislation that are specified in the senate or house rules of procedure.

- Bill analysis for a bill or joint resolution at the committee stage of the legislative process (bill analyses are required by House Rule 4, Section 7, or House Rule 4, Section 32(c))
- Side-by-side analysis of the differences between the final senate and house versions of a bill or joint resolution (senate amendment analyses are required by House Rule 13, Section 5(c), and house amendment analyses may be needed for conference committees)
- Side-by-side analysis of the differences between the final senate and house versions of a bill or joint resolution and the conference committee version proposed by a conferee or adopted by the conference committee (conference committee report analyses are required by Senate Rule 12.10, and House Rule 13, Section 11)

Because staff resources are limited, the staff generally do not prepare other types of analyses of legislation during a legislative session. In responding to requests for analyses, council staff will give priority to measures that are farthest along in the legislative process; among measures at the same stage, requests will be processed in accordance

with council policy that requests be prepared by each division in the general order in which they are received. See **Order of Draft Preparation**.

Due to the confidentiality governing communications between council attorneys and legislators, communication between a research division bill analyst and a legal division attorney about a bill or joint resolution is limited to the publicly available text of the bill and to the attorney's relevant technical knowledge of Texas constitutional and statutory law—unless the member who was the original requestor of the bill draft waives that confidentiality. Bill analysis requests are covered by the same confidentiality policy that the council applies to drafts of legislation.

Also, because the intent of the senate and house rules in requiring an analysis is to provide the members of a committee or a chamber with objective information about the legislation that is the subject of the analysis, the requestor is permitted to have only limited input on how the analysis is prepared.

# **Chapter 2**

## **Computer Services**



# Computer Training

The Computer Support Center (CSC) training center offers comprehensive instruction in all custom legislative computer applications and personal computer software supported by the council. Classes are designed to meet the needs of legislative staff members based on experience and job duties. The CSC training center staff also produce online help, class documentation, and online videos.

**Class Schedule.** Legislators and their staffs are notified about the computer training schedule each month via e-mail, and a calendar of upcoming classes is posted on the CSC website at [http://cscweb/TrainingCenter/trainingCenter\\_calendar.html](http://cscweb/TrainingCenter/trainingCenter_calendar.html).

**Class Registration.** To register for computer training classes:

- Call (512) 475-1111
  - E-mail the training center using the Outlook address resource
- Classes**
- Register online at [http://cscweb/TrainingCenter/trainingCenter\\_classRegInfo.html#RegisterOnline](http://cscweb/TrainingCenter/trainingCenter_classRegInfo.html#RegisterOnline)

**Online Training.** For online training, visit the CSC online training page at [http://cscweb/TrainingCenter/trainingCenter\\_onlineTraining.html](http://cscweb/TrainingCenter/trainingCenter_onlineTraining.html).

**Class Documentation.** For computer class reference manuals:

- Contact your office computer consultant, (512) 463-1160
- Visit the CSC training center documentation page at [http://cscweb/TrainingCenter/trainingCenter\\_documentation.html](http://cscweb/TrainingCenter/trainingCenter_documentation.html)

**TLIS Data Questions.** For information or questions about TLIS data, call Mary Camp, Legislative Reference Library Director, (512) 463-1252.



# Office Computer Consulting

The Computer Support Center (CSC) has computer consultants to provide office consulting and software support for leadership, legislators' offices (both Capitol and district), committees, and central staff.

**Consulting Services.** The following services are available:

- Adding or deleting user IDs: An office consultant should be the first point of contact when user IDs are needed for new staff or user IDs that are no longer in use must be deleted.
- Organizing office work: An office consultant can provide information on the best use of computer software for office projects and routine tasks.
- Analyzing training needs and providing software support: An office consultant can help staff select computer classes that will increase their productivity. Consultants can also follow up with one-on-one support.
- Answering "How Do I" questions and helping with computer-related issues.

**Assigned Consultants.** Use the following links to access information about the consulting teams for each of the following groups:

- Lieutenant governor's office ([http://cscweb/Consultants/consultants\\_ltGov.html](http://cscweb/Consultants/consultants_ltGov.html))
- Speaker's office ([http://cscweb/Consultants/consultants\\_speaker.html](http://cscweb/Consultants/consultants_speaker.html))
- Senate offices (both Capitol and district), committees, and central staff ([http://cscweb/Consultants/consultants\\_senate.html](http://cscweb/Consultants/consultants_senate.html))
- House offices (both Capitol and district), committees, and central staff ([http://cscweb/Consultants/consultants\\_house.html](http://cscweb/Consultants/consultants_house.html))



# PCs and Printers

Personal computers (PCs) and printers are included on the list of standard equipment available to the offices of all legislators. The information systems division of the council employs a highly skilled staff of computer technicians to install PCs and printers in the Capitol Complex and throughout the state in legislators' district offices.

**Hardware Information.** For more information about PCs and printers, call your office consultant, (512) 463-1160.

**Hardware Request.** To request a PC or printer:

- House members—contact the Committee on House Administration, (512) 463-0784
- Senate members—contact the secretary of the senate, (512) 463-0100

**Hardware Problem.** To report PC or printer problems, call the Help Desk support line, (512) 463-1158, or send an e-mail to [helpdesk@tlc.state.tx.us](mailto:helpdesk@tlc.state.tx.us) or to **HelpDesk** via Outlook.

**Hardware Move.** If a PC or printer needs to be moved within the office for any reason, call the Help Desk move line, (512) 463-1616, or send an e-mail to [helpdesk@tlc.state.tx.us](mailto:helpdesk@tlc.state.tx.us) or to **HelpDesk** via Outlook. Only a computer technician from the council should move the hardware in order to ensure that inventory is updated and that proper connections are made.



# Software

The information systems division develops custom legislative applications and provides and supports certain third-party software. The division also develops or supports development of websites and provides web access for the senate, the house, and legislative agencies and offices.

## **Legislative Intranet Applications**

- Texas Legislative Information System (TLIS): legislation and related information
- Texas Appointment System (TAS): governor and legislative leadership appointments
- Westlaw® e-Libraries: access and search material stored in multiple legal databases

## **Internet Applications**

- Texas Legislature Online (TLO): legislature's website; legislation and related information
- Texas Constitution and Statutes: with download options and keyword search
- Who Represents Me?: information about members and districts for any address, zip code, county, or city in Texas
- DistrictViewer: interactive maps and reports for redistricting proposals and current districts

## **Network Applications**

- ABB (Automated Bill Book) enables senators in the senate chamber to access notice of intent, regular order of business, local and uncontested calendar, and other information in electronic format.
- CMS (Correspondence Management System) logs and tracks different types of correspondence and casework, enabling legislators' offices to produce mail merges and reports with that information.
- FAS (Floor Amendment System) enables legislators in the house chamber to display amendments and other documents used in floor debate.

- LMS (Legislative Management System) enables legislative clients to track legislation by combining legislative information available in TLIS with specific comments and recommendations entered by legislative staff.
- RedAppl (Redistricting Application) enables clients to create redistricting plans.

### **Standard PC Software**

- Microsoft Windows, Word, Excel, and Outlook
- Microsoft Internet Explorer
- Adobe Reader

### **PC Software Request**

- House members—contact the Committee on House Administration, (512) 463-0784
- Senate members—contact the secretary of the senate, (512) 463-0100

**Software Information.** For more information about software, call your office consultant, (512) 463-1160.

**Software Problems.** To report software problems, call the Help Desk support line, (512) 463-1158, or send an e-mail to [helpdesk@tlc.state.tx.us](mailto:helpdesk@tlc.state.tx.us) or to **HelpDesk** via Outlook.

# Help Desk and Online Support

The council provides comprehensive Help Desk (telephone and e-mail) support and online support to thousands of legislative clients in the Capitol Complex and throughout the state in legislators' district offices.

## Help Desk Support

**Telephone Support.** Telephone support is available Monday through Thursday, 7:30 a.m. to 5:30 p.m., and Friday, 7:30 a.m. to 5 p.m. These hours are extended during the legislative session to accommodate the needs of the legislature.

- **Help Desk Support Line—(512) 463-1158.** Call the support line for computer hardware and software problems and other urgent computer questions. Please do not call the support line for phone system problems, copier machine problems, computer training information, office consultants, or computer moves.
- **Help Desk Move Line—(512) 463-1616.** Call the move line for computer equipment moves only.

**E-mail Support.** Nonurgent questions and comments also may be sent by e-mail to [helpdesk@tlc.state.tx.us](mailto:helpdesk@tlc.state.tx.us) or to **HelpDesk** via Outlook. Allow at least one hour for a response.

**Information to Provide.** Be prepared to provide the following information when you contact the Help Desk:

- User ID of the person reporting the problem
- Phone number and location of office
- Serial number of the equipment (on blue card attached to equipment)
- Nature of the problem, including error message (if applicable)

Also note the following:

- Is anyone else in the office experiencing the problem?
- When was the last time the equipment or application functioned correctly?
- When will someone be available to meet a dispatched technician?
- Is there an alternate method to complete the work?

## **Online Support**

**Computer Support Center Website (CSCweb).** This technical support intranet site contains web-based tutorials, online reference materials, software tips and tricks, security information, and other valuable resources. Go to <http://cscweb/>.

**How Do I...?** This online help resource provides answers to procedural questions about Texas 2011, Outlook, Word, TLIS, and many other legislative computer applications. Go to [http://cscweb/cscwebdocs/robohlp/how\\_do\\_i/WebHelp/how\\_do\\_i\\_10.htm](http://cscweb/cscwebdocs/robohlp/how_do_i/WebHelp/how_do_i_10.htm).

# **Chapter 3**

## **Research and Special Services**



# Interim Committee Support

Council staff provide a variety of services and support to committees of the legislature relating to the committees' interim charges.

## Research Services

- Policy issue and statistical research on issues raised by the committee
- Oral presentations at committee hearings on results of research
- Assistance in preparing materials for inclusion in the committee's report
- Drafting of legislative policy resolutions requested by the committee
- Preparation of maps, data, tables, charts, and graphs to support committee analyses and presentations

Because staff resources are limited, the research division is unable to assign a researcher to work full-time for a committee.

**To request services:** Contact Clare Dyer, Mapping and Redistricting; Tammy Edgerly, Policy Issue Research; Pamela Lam-Yip, Statistical Research; or Patty McLeod, Resolutions and Publications, (512) 463-1143.

## Legal Services

- Drafting of proposed legislation requested by the committee
- Legal research, drafting of memoranda, and legal advice on issues raised by the committee's work
- Oral presentations at committee hearings on legal issues connected with the committee's work
- Assistance in the preparation and service of legislative subpoenas
- Advice and assistance on compliance with state laws such as the open meetings law and the open records law

The legal division will designate an attorney to attend committee hearings if it is determined that the presence of an attorney would be helpful, but because staff resources are limited, the division generally does not assign an attorney to attend each committee hearing or to work full-time for a committee.

**To request services:** Contact Deborah Fulton, Legal Division Director, or the appropriate attorney, (512) 463-1155. See the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney.

### **Printing and Distribution Services**

- Printing and public distribution of interim committee reports

**To request services:** Contact Janet Sullivan, Document Production Division Director, (512) 463-1155.

### **Administrative Services for Joint Committees**

- Budgeting, accounting, and purchasing assistance
- Copies of *Procedures Manual for Joint Committees*

**To request services:** Contact Mathew Richardson, Chief Financial Officer, or Jessica Johnston, Senior Accountant, (512) 463-1155. Contact the accounting department, (512) 463-1155, for accounting and purchasing questions. Contact Document Distribution, (512) 463-1144, for copies of the manual.

# Legal Counseling and Special Projects

**Legal Counseling.** Legal counseling involves telephone and face-to-face consultation with legislators and legislative staff. Council attorneys are available to provide legal advice about current law and about what changes to it may be necessary to implement policies proposed by a legislator. In addition, council attorneys are familiar with the details of the legislative process and can advise legislators and staff generally in regard to the process.

**Note:** Inquiries as to the interpretation and application of a parliamentary rule should be directed to the parliamentarians of the respective houses or their assistants. Legal division attorneys do not make advisory rulings on parliamentary questions.

**Legal Counseling Request.** To request legal counseling, contact the appropriate attorney or describe the general subject matter to a receptionist, (512) 463-1155. See the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney.

**Special Projects.** Council attorneys provide necessary legal support work for special legislative projects such as removal proceedings and election contests. Attorneys work closely with committee chairs and masters appointed to conduct those proceedings and provide for that purpose legal research, analysis, and advice. Also, with specific approval of leadership, the council has on occasion produced amicus briefs for filing with the Texas Supreme Court on significant issues affecting the legislature.

**Special Project Assistance Request.** To request legal assistance for special legislative projects, contact Deborah Fulton, Legal Division Director, (512) 463-1155.



# Legal Research and Writing

Legal research and writing services are largely reserved for the interim between sessions of the legislature. During and immediately before legislative sessions, the number of requests for drafts of legislative documents requires that written memoranda receive a lower priority. As time permits, council attorneys provide confidential **legal memoranda** concerning issues of the law that affect the official duties of legislators. Some restrictions apply to the preparation of **written legal opinions**. Legislative committees are authorized by law to request official attorney general opinions. Council attorneys draft **attorney general opinion requests** for committees. See the following pages for more information on legal memoranda, written legal opinions, and attorney general opinion requests.

**Legal Research or Writing Request.** To request legal research, a legal memorandum, or an attorney general opinion request, contact the appropriate attorney or describe the general subject matter to a receptionist, (512) 463-1155. See the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney.

**Information to Provide.** Please provide the following information with your request:

- Statement of problem or issue
- Statement of legal question to be answered
- References to relevant court cases, constitutional provisions, statutes, attorney general opinions (if known)
- Related newspaper or periodical articles
- Persons or agencies to contact for more information
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor



# Legal Memoranda

Legal division attorneys and paralegals prepare confidential written memoranda addressing legal issues. During legislative sessions, bill drafting receives a higher priority. Some restrictions apply; see **Written Legal Opinions** for details.

**Legal Memorandum Request.** Request a legal memorandum by one of these methods:

- **In writing:** deliver a written request to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128
- **Phone:** contact the appropriate attorney or describe general subject matter to a receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtllc/drafting/subjectarea.html>) to determine the appropriate attorney

*Requesting legal memoranda by e-mail is strongly discouraged.*  
See **Request Procedures** to find out why.

**Information to Provide.** Please provide the following information with your request:

- Statement of problem or issue
- Statement of legal question to be answered
- References to relevant court cases, constitutional provisions, statutes, attorney general opinions (if known)
- Related newspaper or periodical articles
- Persons or agencies to contact for more information
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor



# Written Legal Opinions

On request of a legislator or the lieutenant governor, the legal staff prepare written legal opinions that relate to the requestor's official duties. All written opinions prepared by the staff are objective and impartial. While the staff will provide their best professional advice, the staff will avoid giving a definitive answer to a question that presents an unresolved legal issue.

During a legislative session, the drafting workload demands that written legal opinions receive a lower priority than drafting requests. A request for a written opinion can be honored only if the staff can do so without jeopardizing the ability to meet drafting deadlines.

A requestor may not require the staff, in preparing a written opinion, to provide private legal advice to a constituent concerning the constituent's private matters or to state a particular conclusion.

The staff may decline to provide a written legal opinion in the following circumstances:

- The request clearly involves providing private legal advice to a constituent concerning the constituent's private matters.
- The requestor requires a particular conclusion that, in the professional judgment of the staff, is not supported by definitive authority.
- The requestor requires a conclusion about the validity or legality of state or local governmental action.
- The issue presented is likely to be resolved by pending litigation or by a pending request for an opinion of the attorney general or other officer legally authorized to interpret the law in question.
- The issue to be addressed is of a magnitude customarily undertaken, after appropriate approval, as a council study.

**Written Legal Opinion Request.** To request a written legal opinion, contact Deborah Fulton, Legal Division Director, (512) 463-1155.



# Attorney General Opinion Requests

Legislative committees are authorized by law to request official attorney general opinions. Council attorneys draft opinion requests.

**Asking for an Attorney General Opinion Request.** Ask for an attorney general opinion request by one of these methods:

- **In writing:** deliver a written request to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128
- **Phone:** contact the appropriate attorney or describe general subject matter to a receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney

*Requesting attorney general opinion requests by e-mail is strongly discouraged.* See **Request Procedures** to find out why.

**Information to Provide.** Please provide the following information with your request:

- Statement of problem or issue
- Statement of legal question to be answered
- References to relevant court cases, constitutional provisions, statutes, attorney general opinions (if known)
- Related newspaper or periodical articles
- Persons or agencies to contact for more information
- Name of committee on whose behalf opinion is asked
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor



# Mapping and Geographic Analysis

The research division's mapping and redistricting staff use geographic information system technology to correlate education, criminal justice, socioeconomic, or other policy issue data with geographic areas (e.g., tax rate by school district) for research and analysis and to produce maps relating to policy issues of interest to the legislature (e.g., hospital districts or four-year college and university campus locations). A number of policy issue maps previously created by the staff are available on request. (See **Data, Maps, and Reports** at [http://capweb/dmr%20index/dmr\\_index.html](http://capweb/dmr%20index/dmr_index.html).) Other maps and geographic analyses can be produced on request.

**Types of Services.** The following types of services are available:

- Presentation maps—display-size (up to 36" x 36") to publication-size color maps
- Geographic analysis—correlation of policy issue data with specified geographic area or locations for analysis; usually rendered as presentation maps

**Map or Geographic Analysis Request.** Request a map or geographic analysis by one of these methods:

- **Phone:** contact Clare Dyer or Sam Davenport, (512) 463-1143
- **In writing:** deliver a written request to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128, Attn. Clare Dyer

*Requesting maps or geographic analysis by e-mail is strongly discouraged.* See **Request Procedures** to find out why.

**Information to Provide.** Please provide the following information with your request:

- Statement of issue and goal for the project
- Background information on the issue
- Time frame in which the map or analysis is needed
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor



# Policy Issue Research

The research division conducts policy issue research for legislators and committees, including background research for interim charges; legislative history research; searches and inventories of Texas statutes; surveys of other states' practices, laws, and legislation; and syntheses of academic, government, or other research.

**Types of Services.** The following types of services are available:

- Spot research—provides information by telephone or e-mail on a topic limited in scope
- In-depth research—may provide materials obtained from other sources or prepare a formal memorandum, table, or other document

**Policy Issue Research Request.** Request policy issue research by one of these methods:

- **Phone:** contact Tammy Edgerly, (512) 463-1143
- **In writing:** deliver a written request and any background information to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128, Attn. Tammy Edgerly

*Requesting research by e-mail is strongly discouraged.* See **Request Procedures** to find out why.

**Information to Provide.** Please provide the following information with your request:

- Statement of problem or issue and specific information needed
- Background information on the issue
- Time frame in which the research is needed
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor



# Redistricting Support

The council provides support for the legislative, congressional, and State Board of Education redistricting efforts of the legislature.

**Types of Services.** The following types of services are available:

- Legal counseling and bill drafting services
- Phone support and office consultation for the RedAppl and DistrictViewer computer systems
- Census, election, and geographic databases
- Appointments to draw districts in the council's redistricting offices with or without the assistance of a RedAppl operator
- Maps (color and black/white in various sizes from 8.5" x 11" to 36" x 36")
- Reports (population, election, and other)
- Informational publications
- *Texas Redistricting* website (information on current districts; an overview of the requirements and process of redistricting; news and legislative activity for the current redistricting cycle; and links to geographic and election data) at <http://www.tlc.state.tx.us/redist/redist.html>

**Computer Assistance Request.** To request assistance in using redistricting computer systems, call redistricting support services, (512) 463-6622.

**Draft or Information Request.** Request bill or amendment drafts, information, publications, reports, or maps by one of these methods:

- **Phone:** contact redistricting support services, (512) 463-6622; or Clare Dyer or Sam Davenport, (512) 463-1143
- **In writing:** deliver a written request to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128, Attn. Clare Dyer

**Note:** Copies of publications and standard maps and reports are also available from the council's document distribution office, Room B.324, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue, (512) 463-1144.

**Do not use LDR** (Legislative Draft Request system) to request redistricting plan bills or amendments.

*Requesting materials by e-mail is strongly discouraged.* See **Request Procedures** to find out why.

**Legal Counseling Request.** To request legal counseling, contact the appropriate attorney or describe the general subject matter to a council receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney.

# Statistical Research

Research division statisticians provide statistical research assistance for formulating policy, evaluating program data and statistical information produced by other agencies, and conducting original research, including scientific surveys.

## Types of Services

- Compilation and analysis of data
- Statistical estimates and projections from data
- Evaluation of methodologies and conclusions in statistical studies conducted by others
- Advice on the use and interpretation of statistics or on how to formulate a design to answer a research question
- Scientific surveys and analysis of results

**Statistical Research Request.** Request statistical research by one of these methods:

- **Phone:** contact Pamela Lam-Yip, (512) 463-1143
- **In writing:** deliver a written request and any background information to a council receptionist on the 2nd floor, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128, Attn. Pamela Lam-Yip

*Requesting research by e-mail is strongly discouraged.* See **Request Procedures** to find out why.

**Information to Provide.** Please provide the following information with your request:

- Type of service desired
- Background information
- Copies of or reference to any relevant material available to the requestor
- Delivery instructions if the request is to be delivered to a place other than the Capitol office of the requestor



# Statutory Revision

The Texas Legislative Council is required by law (Section 323.007, Government Code) to carry out a complete nonsubstantive revision of the Texas statutes. The process involves reorganizing the statutes in topical codes; eliminating repealed, invalid, duplicative, and other ineffective provisions; and improving the draftsmanship of the law, if practicable, without changing the meaning or effect of the law. Codes drafted under this program are enacted by bill.

Revisor's reports for past code projects and proposed chapters and other information on current code projects are available online. To view information on current code projects, go to [http://www.tlc.state.tx.us/code\\_overview.htm](http://www.tlc.state.tx.us/code_overview.htm).

**General Questions.** For general questions about statutory revision, call Deborah Fulton, Legal Division Director, (512) 463-1155.

**Questions About an Enacted Code.** For questions about a specific enacted code, call the appropriate attorney or describe the general subject matter to a council receptionist, (512) 463-1155; see the attorney subject area assignment list (<http://capweb/gtlc/drafting/subjectarea.html>) to determine the appropriate attorney.

**Questions About a Pending Code Bill.** For questions about a pending code bill, call the chief revisor (the attorney whose initials appear on the draft), (512) 463-1155; if the chief revisor is unavailable, call Deborah Fulton, (512) 463-1155.



# House Engrossing and Enrolling

The council engrosses and enrolls house bills and resolutions for the house of representatives.

**Types of Documents Processed.** As part of its engrossing and enrolling function, the council processes the following types of documents:

- House committee reports on house and senate documents (1st official house printing)
- 3rd reading engrossments of house documents
- Senate amendments to house documents (2nd official house printing)
- Special printings (usually engrossment of senate amendments to a house document)
- Conference committee reports on house and senate documents (3rd official house printing)
- Enrollments of house documents

**Obtaining Information.** To obtain information about house engrossing and enrolling, call Jeff Archer, Chief Legislative Counsel, (512) 463-1155.

**Document Status.** To check the status of a house document listed above, consult TLIS or call the chief clerk's office, (512) 463-0845, to determine whether the document has been delivered to the council for engrossment or enrollment.



# **Chapter 4**

## **Information Resources**



# Publications

Council staff produce a number of publications on topics relating to state government and the legislative process. These publications are available in hard copy or online at <http://www.tlc.state.tx.us>.

Legislators and legislative committees may suggest topics for new publications.

## Legislative Reference Publications

- ***Guide to Texas Legislative Information***

An aid to locating legislative information and resources.

- ***Guide to Texas Legislative Council Services***

A detailed guide to services and products provided to the legislature by the agency.

- ***Texas Legislative Council Drafting Manual***

A compilation of legislative drafting guidelines covering such topics as bill format and content requirements, germaneness, citations, and style and usage.

- ***Reading Statutes and Bills***

A primer on how to read and understand statutes and bills.

- ***Memorandum on Local and Bracket Bills***

A discussion of the requirements relating to the publication of notice of intent to introduce a local or special bill and standards governing consideration of bills that are limited to a particular class of political subdivisions or geographic areas through use of population or another classification device.

- ***Texas Legislative Manual***

A manual containing the U.S. and Texas Constitutions, the senate and house rules of procedure, information on the membership of the two houses and their committees, and information on the officers and employees of the two houses.

- ***Texas Constitution***

An update prepared following each election on proposed constitutional amendments to incorporate all changes approved by the voters.

- ***Amendments to the Texas Constitution Since 1876***

Basic information on all original sections of the constitution and all amendatory proposals, including subject content, dates and outcomes of amendment elections, and citations to the joint resolutions that contain the amendment text.

- ***Senate Rules***

A paperback volume of the annotated rules.

- ***House Rules***

A paperback volume of the annotated rules.

- ***Procedures Manual for Joint Committees***

A manual of procedures governing the financial, administrative, and logistical operations of joint committees.

## **Legislative Analysis Publications**

- ***Summary of Enactments***

Published after a legislative session. Provides a brief synopsis of all bills and all joint resolutions proposing amendments to the Texas Constitution that were passed by the legislature during the session.

- ***New, Renamed, and Abolished State Governmental Entities***

Published after a legislative session. Provides information on state governmental entities that were created, restructured, or eliminated by the legislature.

- ***Analyses of Proposed Constitutional Amendments***

Published before each election that has proposed amendments to the Texas Constitution on the ballot. Includes the text of the joint resolution, ballot language, background and analysis of the proposal, and arguments for and against passage of the measure. A condensed version of the publication, suitable for inclusion in legislators' newsletters, is also available online.

## **Policy Issue Publications**

Each of these publications focuses on a specific topic that is of interest to the legislative community at the time of distribution. For a listing of available publications, go to <http://www.tlc.state.tx.us/policy.htm>.

## Historical Publications

- ***Presiding Officers of the Texas Legislature***

A collection of brief biographies of those who have served as lieutenant governor or speaker of the house of representatives in Texas.

- ***The Texas Capitol: A History of the Lone Star Statehouse***

A history of the location, construction, and restoration of the Texas Capitol.

**Obtaining Publications.** Online versions of council publications may be accessed from the council's publications web page at <http://www.tlc.state.tx.us/pubs.htm>. Paper copies of most publications are distributed to legislators, the Legislative Reference Library, and state depository libraries. Limited numbers of additional copies of publications are printed and may be requested from the council's document distribution office.

Request copies of council publications by one of these methods:

- **Phone:** contact Document Distribution, (512) 463-1144
- **Online:** send an e-mail to [house.documentdistribution@tlc.state.tx.us](mailto:house.documentdistribution@tlc.state.tx.us); or request through the house document request form at <http://bilreq/House.aspx>
- **In person:** go to Room B.324, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue
- **In writing:** deliver a written request to Room B.324, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128; or fax to (512) 463-2920

Request that a publication be provided in an alternative format by one of these methods:

- **Phone:** contact Document Distribution, (512) 463-1144
- **In writing:** mail a written request to P.O. Box 12128, Austin, TX 78711-2128, or fax to (512) 463-2920



# Web Resources

The council creates and maintains a number of websites and web applications for the legislative community and the public. Some resources are available only on the legislative intranet; others are Internet resources available from any computer with web access.

## Legislative Intranet Resources

- **Capweb (Inside the Texas Legislature): <http://capweb>**

Serves as the default browser home page for the legislative community. Provides convenient links to many online legislative resources and items of current interest. During a legislative session, gives the dates and times when the senate and house will next convene.

- **Texas Appointment System (TAS): <http://tas/WebApp/UI/BasicSearch.aspx>**

Provides information about appointments made by the governor, the lieutenant governor, the speaker of the house, and others having authority to appoint members to a legislative entity, a governor's task force, or a state agency, board, or commission, as well as basic information about the entity itself.

- **Texas Legislative Information System (TLIS): <http://tlis>**

Allows legislative users to track legislation and view bill text, bill history, bill analyses, fiscal notes, enrolled bill summaries, committee membership, committee minutes and witness lists, scheduling information, and senate and house calendar information.

- **Guide to Texas Legislative Information: <http://capweb/gtli/home.html>**

Provides a guide to a broad range of legislative information and resources, with links to legislative intranet and Internet resources.

- **Guide to Texas Legislative Council Services: <http://capweb/gtlc/index.html>**

Provides a detailed guide to services and information provided by the council to the legislative community and how to obtain those resources.

- **Legislative Research on the Web:** <http://capweb/lrw/webguide.htm>  
Provides a directory of state, federal, and other web resources for legislative research.
- **Data, Maps, and Reports:** [http://capweb/dmr%20index/dmr\\_index.html](http://capweb/dmr%20index/dmr_index.html)  
Provides online access to data, maps, and reports relating to policy issues and other matters of current interest to the Texas Legislature.
- **Computer Support Center:** <http://cscweb>  
Provides information regarding computer services provided by the council and how to access those services.
- **How Do I . . .?:** [http://cscweb/cscwebdocs/robohlp/how\\_do\\_i/WebHelp/how\\_do\\_i\\_10.htm](http://cscweb/cscwebdocs/robohlp/how_do_i/WebHelp/how_do_i_10.htm)  
Provides online computer help.

## Internet Resources

- **Texas Legislature Online (TLO):** <http://www.legis.state.tx.us>  
Allows public users to track legislation; view bill text, bill history, bill analyses, fiscal notes, enrolled bill summaries, committee membership, committee minutes and witness lists, scheduling information, and senate and house calendar information; and access information about the legislative process, important legislative dates, government websites, and other items of interest.
- **Guide to Texas Legislative Information:** <http://www.tlc.state.tx.us/gtli/home.html>  
Provides a guide to a broad range of legislative information and resources, with links to Internet resources.
- **Texas Constitution and Statutes:** <http://www.statutes.legis.state.tx.us/>  
Updated by the Texas Legislative Council following each constitutional amendment election and each legislative session. Has download options and keyword search.
- **Who Represents Me?:** <http://www.fyi.legis.state.tx.us>  
Provides information about members and districts of the Texas Senate, the Texas House of Representatives, the Texas delegation to the U.S. House of Representatives, and the State Board of

Education, plus contact information for the U.S. senators from Texas. Offers information on the geographic and demographic composition of the districts. Users can determine the districts and legislators for any address, zip code, county, or city in Texas.

- **DistrictViewer:** <http://gis1.tlc.state.tx.us>

Provides interactive maps and demographic and election data reports for redistricting proposals and current districts of the Texas Senate, the Texas House of Representatives, the Texas delegation to the U.S. House of Representatives, and the State Board of Education.

- **Texas Redistricting:** <http://www.tlc.state.tx.us/redist/redist.html>

Provides information relating to redistricting responsibilities and activities of the Texas Legislature.

- **Texas Legislative Council:** <http://www.tlc.state.tx.us>

Provides information about the agency, plus online access to publications, code project documents, and other items.

- **Texas Capitol Events:** <http://www.capevent.legis.state.tx.us>

Provides information about the Capitol and events occurring in the Capitol Complex.



# House Document Distribution

The council's document distribution office performs the document distribution function for the house of representatives. The office distributes copies of house legislation and legislative documents, council publications, and redistricting and other materials to legislators and the public. Many of the documents and materials are also available online through TLIS (<http://tlis>) or Capweb (<http://capweb>).

**Available Documents.** The following documents are available:

- House legislation (introduced, house committee report printing, 2nd reading engrossment, 3rd reading engrossment, senate amendments printing, conference committee report printing, and enrollment)
- Senate legislation (house committee report printing and conference committee report printing only)
- House calendars
- House daily journals
- Texas Constitution
- House rules
- Senate rules
- Council publications and informational materials
- Standard redistricting reports and maps
- House interim committee reports

**Document Request.** Request copies of a document by one of these methods:

- **Phone:** contact Document Distribution, (512) 463-1144
- **Online:** send an e-mail to [house.documentdistribution@tlc.state.tx.us](mailto:house.documentdistribution@tlc.state.tx.us); or request through the house document request form at <http://bilreq/House.aspx>
- **In person:** go to Room B.324, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue
- **In writing:** deliver a written request to Room B.324, Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue; or mail to P.O. Box 12128, Austin, TX 78711-2128; or fax to (512) 463-2920

Request that a publication be provided in an alternative format by one of these methods:

- **Phone:** contact Document Distribution, (512) 463-1144
- **In writing:** mail a written request to P.O. Box 12128, Austin, TX 78711-2128; or fax to (512) 463-2920

# **Chapter 5**

## **About the Texas Legislative Council**



# Overview

The Texas Legislative Council, under the guidance of a 14-member governing body, provides drafting, computing, research, and publishing services to the Texas Legislature and legislative agencies. The council also serves as an information resource for state agencies, the citizens of Texas, and others as time and resources allow.

Under the general direction of the executive director and the leadership team, the council staff is organized into administrative functions and four divisions: document production, information systems, legal, and research. Each division is under the supervision of a director.

Staff offices of the council are located in the Robert E. Johnson, Sr., Legislative Office Building at 1501 N. Congress Avenue.

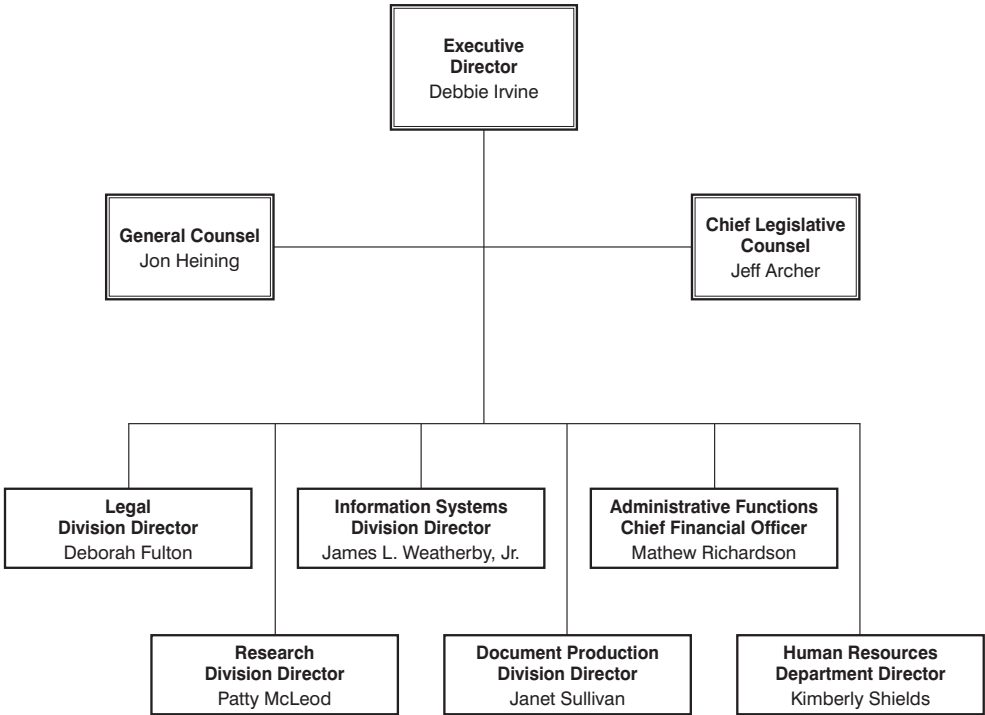
**Nonpartisan Service.** The Texas Legislative Council provides impartial and nonpartisan drafting, research, computer support, and other services to the lieutenant governor and to all members of the Texas Legislature.

**Confidentiality Policy.** Under Section 323.017, Government Code, communications between a legislator or the lieutenant governor and a council employee that relate to a request by the official for information, advice, or opinions from a council employee are confidential, and information, advice, and opinions given privately by a council employee to a legislator or the lieutenant governor, acting in the person's official capacity, are confidential.

In addition, Rule 1.05 of the Texas Disciplinary Rules of Professional Conduct generally prohibits a lawyer from knowingly revealing to another person confidential information of a client, including confidential communications between the client and the lawyer made for the purpose of facilitating the rendition of professional legal services to the client.

Since the work of the lawyers and other staff employed by the council is confidential, the council staff will not disclose the fact that a legislator or the lieutenant governor has made a particular request for draft legislation or provide any other information about the request to any other person, including other legislators, without the express permission of the office for which the draft is being prepared. After a draft becomes an introduced bill or resolution, the council staff will answer questions concerning the bill or resolution only to the extent that the answers do not disclose confidential information concerning the bill or resolution.

# Staff Organization



# Agency Contact Information

## Physical Address

The Texas Legislative Council offices are located in the Robert E. Johnson, Sr., Legislative Office Building, 1501 N. Congress Avenue, Austin, TX 78701.

## Mailing Address

Texas Legislative Council  
P.O. Box 12128  
Austin, TX 78711-2128

## Phone Numbers

Executive Offices.....	(512) 463-1151
Accounting and Purchasing.....	(512) 463-1155
Computer Class Scheduling Line .....	(512) 475-1111
Document Distribution .....	(512) 463-1144
Draft Deliveries .....	(512) 463-1127
Help Desk Move Line .....	(512) 463-1616
Help Desk Support Line .....	(512) 463-1158
Human Resources.....	(512) 463-1155
Information Systems Division .....	(512) 463-1160
Legal Division .....	(512) 463-1155
Office Computer Consultants .....	(512) 463-1160
Redistricting Support Services .....	(512) 463-6622
Research Division.....	(512) 463-1143



# Leadership and Administration

<b>Executive Director</b> .....	<b>Debbie Irvine</b>
<b>Chief Legislative Counsel</b> .....	<b>Jeff Archer</b>
<b>General Counsel</b> .....	<b>Jon Heining</b>
<b>Chief Financial Officer</b> .....	<b>Mathew Richardson</b>
<b>Human Resources Director</b> .....	<b>Kimberly Shields</b>

The leadership team is responsible for directing and coordinating the operations of the council. The team consists of the executive director, the chief legislative counsel, the general counsel, the chief financial officer, and the division and department directors.

Administrative functions include human resources, accounting, purchasing, facilities management, staff support, internal audit, risk management, and special projects coordination.

**Human Resources.** The human resources department is responsible for benefits and employment matters. The department works with the leadership team in developing policies and administering programs in employee relations, performance management, benefits and compensation, succession planning, recruiting and retention, recognition, and professional and organizational development and continuing education.

**Accounting.** The accounting section is responsible for payroll and accounting for all funds appropriated to the council, including funding for joint interim committees. This includes assisting with the preparation of the council’s annual budget and legislative appropriation request.

**Purchasing.** The purchasing section is responsible for the procurement of all goods and services required by the council, hardware and software for other legislative agencies supported by the council, and contract administration.

**Facilities Management.** The facilities management section is responsible for telecommunications equipment and operation; property, facilities, and move coordination; warehouse storage and operations; facilities inspections; custodial services; and building maintenance scheduling.

**Staff Support.** The staff support section is responsible for safety programs; scheduling and maintenance of the REJ Building conference

center for legislative agencies and legislative clients; and managing the council's telephone receptionists, mailing and shipping, and parking coordination.

Other staff in administration include the internal auditor and the special projects coordinator, who handles risk management, business continuity and disaster recovery research and planning, building design and space planning and management, and coordination of council assistance to the house and senate on certain joint activities, including the inauguration of the governor and lieutenant governor and orientation programs for newly elected legislators.

# Document Production Division

**Director** ..... **Janet Sullivan**

**Deputy Directors** ..... **Kris Burrows**  
**Kathy Clarkson**  
**Craig P. Johnson**

The document production division provides text and data input, proofreading, graphic design and layout, photography, printing, delivery, and document distribution support for the following agency responsibilities:

- Preparation of council documents, including legislative and nonlegislative document drafts, correspondence, reports, and publications
- Preparation and distribution of house official printings, engrossments and enrollments, and house calendars
- Updating of council-maintained databases, including elections and local statutes

**Administration.** The director and deputy directors supervise the daily activities of the division and provide a broad range of support to the council.

**Data Transcription.** The division’s data transcription process involves text and data entry and document update functions in the production of council drafts, legislation, code drafts, parchments, publications, manuals, reports, correspondence, and other documents.

**Graphics.** The division’s graphics services include production of council and legislative publications, manuals, and visual aids, as well as photography, for the council, the legislature, and other state agencies.

**Printing.** The division’s printing services include reproduction of legislative and nonlegislative draft documents, publications, manuals, interim committee reports, and other forms, reports, and products that support the council staff. During the legislative session, printing services include official house printings, 2nd readings, engrossments, enrollments of house documents, and house calendars.

**Processing and Delivery.** The division’s processing and delivery staff receive all house legislation from the chief clerk and select senate legislation from the secretary of the senate and prepare legislative

documents for printing and storage in databases accessible to the public. The processing and delivery staff also prepare and deliver all legislative and nonlegislative council draft documents and are responsible for obtaining the required signatures of the presiding officers of the senate and house, secretary of state, comptroller, and governor on all legislation. The document distribution staff distribute house legislation and related legislative documents, house calendars, and daily house journals. The document distribution staff also provide copies of council publications and informational materials to the legislature and the public. The section is also responsible for the council's records management program and for intra-office messenger service.

**Proofreading.** The division's proofreading staff verify and review council drafts, legislation, code drafts, parchments, publications, manuals, reports, correspondence, and other documents.

# Information Systems Division

**Director** ..... **Jim Weatherby**

The information systems division provides computer support services to the legislative branch of Texas government, including legislators and their administrative offices, the Texas Legislative Council, the Legislative Reference Library, the State Auditor's Office, the Legislative Budget Board, and the Sunset Advisory Commission.

**Administration.** The administration section consists of the director and support personnel who assist in budgeting. The section is responsible for the overall policy direction of the division, the coordination of day-to-day IS operational activities, and the long-term strategic direction of the division.

**Applications.** The applications section works in partnership with legislative clients, the Computer Support Center, and the infrastructure and operations section to provide specific solutions to meet the needs of the legislature and legislative agencies. The applications section develops custom software; assists in the evaluation, selection, implementation, and customization of purchased software or other technology; and assists clients in reviewing their work processes to determine if changes can be made to improve those processes.

**Infrastructure and Operations.** The infrastructure and operations section is responsible for the development, implementation, maintenance, and monitoring of the hardware, software, and network infrastructure on the council's computer network. The section is responsible for providing the client desktop/laptop/server, storage, and mobile/network infrastructure to the Capitol and district office clients. The section provides services to clients on the infrastructure, including the distribution of council-developed applications, office automation applications, e-mail, remote and external access, security agents, and Internet access. The section consists of five groups: the **data center operations** group, the **database support** group, the **workstation and server support** group, the **applications support** group, and the **network and storage support** group.

**Computer Support Center.** The Computer Support Center (CSC) is the initial contact point for all clients of the council's data processing system. The CSC is composed of six groups: the **hardware** section, which receives, inventories, installs, and troubleshoots all computer equipment purchased and supported by the council; the **Help Desk**, whose primary responsibility is first-level phone support and

maintaining and processing requests for the client user ID system; the **network control** section, which installs and maintains computer equipment in the legislators' district offices throughout the state, maintains the network infrastructure, including installing, configuring, and maintaining routers, hubs, and switches for the Local Area Network (LAN) in the Capitol Complex and the Wide Area Network (WAN); the **PC team**, which is responsible for second-level computer support, testing software solutions, and assisting in the selection of personal computer software and hardware; the **training center**, which provides classroom training and produces online help and procedural manuals for all legislative applications and PC software; and the **office consultant** teams, which evaluate and address legislative offices' computer needs and issues.





# Research Division

Director .....	Patty McLeod
Deputy Directors .....	Tammy Edgerly Juan Lewis-Zavala
Policy Issue Research .....	Tammy Edgerly
Bill Analysis .....	Tammy Edgerly Carey Eskridge
Mapping and Redistricting .....	Clare Dyer
Statistical Research .....	Pamela Lam-Yip
Resolutions and Publications .....	Patty McLeod

The research division provides professional, nonpartisan research, drafting, mapping, and redistricting services for the lieutenant governor, the speaker of the house of representatives, legislative committees, and all legislators. Specific services include congratulatory, memorial, and policy resolution drafting; bill analysis and bill version side-by-side comparison drafting; policy issue research; statistical research; data gathering and preparation; map production and geographic analysis; publication preparation; website creation and maintenance; and redistricting information and support.

**Administration.** The administration section is responsible for strategic operations and planning and the direction of the division. Section staff also design and maintain Internet and legislative intranet websites, including the council’s Internet site; Capweb; the Guide to Texas Legislative Council Services; the Guide to Texas Legislative Information; Texas Redistricting; Legislative Research on the Web; and Data, Maps, and Reports.

**Policy Issue Research.** During a legislative session, the staff of this section review bill analyses drafted by the bill analysis section, draft side-by-side comparisons of the senate, house, and conference committee versions of bills and joint resolutions, and handle research requests.

The section produces several pre-session and post-session publications, including the *Summary of Enactments; New, Renamed, and Abolished State Governmental Entities; Guide to Texas Legislative Information;* and *Analyses of Proposed Constitutional Amendments.*

In support of interim activities, the section responds to legislator and committee requests for research, including background material for interim charges; surveys of other states' practices, laws, and legislation; searches and inventories of Texas statutes; and legislative history searches.

**Bill Analysis (Session Only).** During a legislative session, the staff of this section draft, on request, analyses of bills and joint resolutions placed on the agenda for a committee hearing and bills and joint resolutions reported out of committee. The section also assists in preparing side-by-side comparisons of the senate, house, and conference committee versions of bills and joint resolutions.

**Mapping and Redistricting.** The staff of this section use geographic information system technology to correlate education, criminal justice, socioeconomic, or other data with geographic areas (e.g., tax rate by school district) for research and analysis and to produce maps relating to policy issues of interest to the legislature (e.g., hospital districts or four-year college and university campus locations).

To support the legislature's redistricting activities, the section works with information systems staff to build and maintain election, census, and geographic databases and mapping and redistricting computer systems. The staff of the section produce maps and reports showing population and election information for proposed and enacted redistricting plans, as well as informational publications on redistricting, and prepare information for the *Texas Redistricting* website.

During a non-redistricting session, the staff of the section also assist in preparing side-by-side comparisons of the senate, house, and conference committee versions of bills and joint resolutions.

**Statistical Research.** In response to requests from legislators and committees, the staff of this section compile and analyze data, prepare statistical estimates and projections from data, evaluate methodologies and conclusions in statistical studies conducted by others, advise on the use and interpretation of statistics or how to formulate a design to answer a research question, and conduct statistical surveys and analyze results. In addition, the section maintains a website that contains data, maps, and reports related to interim charges and other topics of interest to the legislature.

During a session, the staff of the section also assist in handling policy issue research requests and in preparing side-by-side comparisons of the senate, house, and conference committee versions of bills and joint resolutions.

Since 2001, the council's statistical research staff have been providing assistance to state agencies in designing or conducting statistical studies mandated by the legislature. This assistance helps to ensure that the legislature gets the information it needs and reduces the need for agencies to hire outside consultants.

**Resolutions and Publications.** The staff of this section draft congratulatory, memorial, and legislative policy resolutions. The section also produces or coordinates the production of a number of research division and council publications, including the *Texas Legislative Manual*, the *Guide to Texas Legislative Council Services*, and the *Procedures Manual for Joint Committees*. Two historical publications—*Presiding Officers of the Texas Legislature* and *The Texas Capitol: A History of the Lone Star Statehouse*—are products of this section.

